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REPORTS

FROM

COMMISSIONERS:

SIXTEEN VOLUMES.

—*(6.)*—

CORPORATIONS, ENGLAND AND WALES:

APPENDIX, PARTS IV. & V.

Session

19 *February*——10 *September* 1835.

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SIXTEEN VOLUMES:—CONTENTS OF THE

SIXTH VOLUME.

N. B.—*THE* Figures *at the* beginning of the line, *correspond with the* N° *at the foot of each* Report; *and the* Figures *at the* end of the line, *refer to the* MS. Paging *of the Volumes arranged for The House of Commons.*

CORPORATIONS (ENGLAND and WALES):

116. APPENDIX to the FIRST REPORT of the COMMISSIONERS, PART IV. —(EASTERN and NORTH-WESTERN CIRCUITS) - - - p. 1

116. APPENDIX to MUNICIPAL CORPORATIONS, PART V.—(PLACES not in any DISTRICT) - - - - - - - - p. 783

MUNICIPAL CORPORATIONS,
(ENGLAND AND WALES.)

APPENDIX

TO THE FIRST

REPORT

OF THE

COMMISSIONERS.

Part IV.

EASTERN AND NORTH-WESTERN CIRCUITS.

Ordered, by The House of Commons, *to be Printed,*
30 *March* 1835.

INDEX.

EASTERN CIRCUIT - - - - - - - page 2081

NORTH-WESTERN CIRCUIT - - - - - „ 2569

NAME OF PLACE.	CIRCUIT.	Page.	NAME OF PLACE.	CIRCUIT.	Page.
Aldeburgh - Suffolk	E.	2083	Harwich - - Essex	E.	2259
Altringham - Chester	N. W.	2571	Higham Ferrers Northampton	E.	2281
Bangor - - Carnarvon	N. W.	2577	Huntingdon - Huntingdon	E.	2285
Beccles - - Suffolk	E.	2127	Ipswich - - Suffolk	E.	2291
Bedford - - Bedford	E.	2101	Lincoln - - Lincoln	E.	2343
Beaumaris - Anglesey	N. W.	2579	Liverpool - Lancaster	N. W.	2687
Bishop's Castle - - Salop	N. W.	2593	Louth - - Lincoln	E.	2371
Boston - - Lincoln	E.	2149	Ludlow - - - Salop	N. W.	2781
Bury St. Edmund's Suffolk	E.	2169	Lynn - - Norfolk	E.	2387
Caergwrle - - Flint	N. W.	2603	Maldon - - - Essex	E.	2429
Caerwys - - - Flint	N. W.	2607	Newborough - Anglesey	N. W.	2805
Cambridge - Cambridge	E.	2183	Newton - - - Lancaster	N. W.	2813
Castle Rising - Norfolk	E.	2209	Norwich (chief Town) Norfolk	E.	2457
Chester - - - Chester	N. W.	2613	Orford - - Suffolk	E.	2507
Clun - - - Salop	N. W.	2639	Oswestry - - Salop	N. W.	2821
Congleton - Chester	N. W.	2647	Over - - Chester	N. W.	2815
Denbigh - - Denbigh	N. W.	2659	Overton - - - Flint	N. W.	2817
Dinas Mwddy - Merioneth	N. W.	2671	Rhuddlan - - Flint	N. W.	2835
Dunmow - - - Essex	E.	2213	Ruthin - - Denbigh	N. W.	2845
Dunwich - Suffolk	E.	2217	Ruyton - - - Salop	N. W.	2857
Eye - - Suffolk	E.	2227	Southwold - Suffolk	E.	2513
Flint - - - Flint	N. W.	2677	Stamford - Lincoln	E.	2525
Godmanchester Huntingdon	E.	2233	Thetford - Norfolk	E.	2539
Grantham - Lincoln	E.	2239	Wisbeach - Cambridge	E.	2549
Grimsby - - Lincoln	E.	2247			

3

REPORTS

FROM

THE EASTERN CIRCUIT.

CONTENTS.

COUNTIES.

BEDFORDSHIRE.
CAMBRIDGESHIRE.
ESSEX.
HUNTINGDONSHIRE.
LINCOLNSHIRE.
NORFOLK.
NORTHAMPTONSHIRE.
SUFFOLK.

CITIES AND BOROUGHS.

1. Aldborough.
2. Bedford.
3. Beccles.
4. Boston.
5. Bury St. Edmund's.
6. Cambridge.
7. Castle Rising.
8. Dunmow.
9. Dunwich.
10. Eye.
11. Godmanchester.
12. Grantham.
13. Grimsby.
14. Harwich.
15. Higham Ferrers.
16. Huntingdon.
17. Ipswich.
18. Lincoln.
19. Louth.
20. Lynn.
21. Maldon.
22. Norwich, chief town.
23. Orford.
24. Southwold.
25. Stamford.
26. Thetford.
27. Wisbeach.

REPORT

ON

THE BOROUGH OF ALDEBURGH,

(SUFFOLK.)

CONTENTS.

	Page.
I. Limits, Extent and Population -	2085
II. Incorporation and Charters -	2085
III. Corporate Body and its Constitution - - - - - -	2805
Enumeration of Officers and Freemen - - - -	2085
1. Officers composing the Common Council - - - -	2085
Bailiffs - - - - -	2085
Assistant Justices - -	2085
Capital Burgesses - -	2086
2. The Common Council - -	2086
Its Powers - - -	2086
Amotion of a Capital Burgess - - - - -	2086
Charges and Evidence -	2087
Defence - - -	2088
Appeal - - - -	2090
3. Officers appointed by the Council	2092
Inferior Burgesses - -	2092
Recorder - - -	2092
Town Clerk - - -	2092
4. Other Officers - - -	2093
Chamberlains - -	2093
Serjeants at Mace - -	2093
Constables - - -	2093
Gaoler - - - -	2093
Fen Reeve - - -	2093
Ale Founder - - -	2093
Freemen - - - -	2093
Title to Admission - -	2093
Fees on Admission - -	2094
Privileges - - -	2094
Creations and Disfranchisements - - -	2094
IV. Jurisdiction, Limits - - -	2094
Magistracy - - - -	2095
Courts enumerated - - -	2095
Sessions - - -	2095
Civil Court - - -	2095
Pie Poudre Court - -	2095
Police - - - - -	2095
Gaol - - - - -	2095
Licenses - - - -	2095
V. Property - - - - -	2095
Town Marshes - - -	2095
Income - - - - -	2096
Permanent Charges - - -	2096
Expenditure - - - -	2096
Audit - - - - -	2097
Alienations - - - -	2097
VI. Patronage - - - -	2097
VII. State of the Town - - -	2097
Progress of Population - -	2097
Occupations - - - -	2097
Houses - - - - -	2097
Property - - - -	2097
Assessed Taxes - - -	2097
Parochial Assessments - -	2097
Port Dues - - - -	2098
VIII. Summary and Observations -	2098
IX. Documents - - - -	2100

BOROUGH OF ALDEBURGH.

I. LIMITS, Extent and Population.

THE Borough of Aldeburgh is co-extensive with the parish of the same name, and contains 1,130 statute acres, with a population of 1,341 inhabitants.

II. INCORPORATION and CHARTERS.

Aldeburgh claims to be a borough by Prescription. The earliest Charter known to the existing corporate body was granted in 1529, by Henry VIII.: the last in 1637, by Charles I.

The following is a list of the charters now in their possession.

A charter of Henry VIII. dated 14 Feb. 1529.
" " 7 Mar. 1530.
Edw. VI. " 19 Dec. 1546.
Phil. & M. " 22 Nov. 1553.
" " 4 June 1557.
Eliz. " 21 Oct. 1567.
James I. " 1 Sept. 1605.
Car. I. " 6 Apr. 1637.

The last was granted to cure "certain defects in their former letters patent," and is the present governing charter.

III. CORPORATE BODY and CONSTITUTION.

The Corporation is entitled "The Bailiffs and Burgesses of the Borough of Aldeburgh, in the County of Suffolk."

Enumeration of Officers and Freemen.

The corporate Officers named in the governing charter are,
Two Bailiffs.
Ten Capital Burgesses.
Twenty-four Inferior Burgesses.
A Recorder.
A Town Clerk.
Two Serjeants at Mace.
Four Constables.
A Gaoler.

Other officers not named in the charter are,
Two Chamberlains.
A Fen Reeve.
An Ale Founder.

The number of Burgesses or Freemen is indefinite. At present there are 33 not holding offices, and of this number 29 are non-resident.

1. OFFICERS composing the Council, Bailiffs.

The officers composing the Council, which is the Governing Body of the borough, are the bailiffs and capital burgesses.

The Bailiffs are annually elected from the capital burgesses by the bailiffs in office, the capital burgesses, and the 24 inferior burgesses, and they are removable by a majority of the council.

The charter requires that "two of the most honest and discreet burgesses" shall be chosen to this office.

Their election takes place on the Feast of the Nativity of the Virgin Mary, and they come into office on the Feast of Saint Michael. In case of death or removal, the vacancy is filled up for the rest of the year by the other members of the council.

As the head of the corporate body, they preside at the common council. (*See* "Common Council.")

They are the chief magistrates of the borough, and are appointed by the charter civil as well as criminal judges within the liberties. (*See* "Jurisdiction.")

They are also coroners of the borough, keepers of its gaol, joint keepers of its records, and joint auditors of the chamberlain's accounts.

The only emoluments of the office arise from the fees they receive as coroners.

The present bailiffs are,
1. The collector of customs in the port of Aldeburgh, who resides in the vicinity of the borough,
2. A surgeon residing in Orford.

They are both members of the neighbouring corporation of Orford. The one is a portman and the other a capital burgess of that borough.

Assistant Justices.

At the expiration of the year the bailiffs return to the body of capital burgesses, but continue justices of the peace for the borough during the following year.

The late bailiffs and present Assistant Justices are,
1. The acting chamberlain of the corporation, who is resident,
2. One of the portmen of Orford, who is non-resident.

The former is also a capital burgess of Orford.

ALDEBURGH.
Capital Burgesses.

The Capital Burgesses are elected for life by the common council, from the 24 inferior burgesses.

The qualification required by the charter is, that they shall be "the most respectable and discreet burgesses of the borough;" and their duty is "to assist, aid and advise the bailiffs in all causes and things touching or in any manner concerning the said borough." (*See* "Common Council.")

They are also the only persons eligible for the magistracy.

The present capital burgesses, besides the two assistant justices, are,

1. The Marquis of Hertford, elected 9th Sept. 1822.
2. Lord George Seymour, elected 10th Sept. 1822.
3. Horace Beauchamp Seymour Seymour, esq., elected 10th Sept. 1822.
4. The Right hon. J. Wilson Croker, elected 10th Sept. 1822.
5. A former steward of the Marquis of Hertford, elected 30th Sept. 1822.
6. H. Meynell, esq., residing in London, and elected 9th Sept. 1827.
7. The solicitor of the Marquis of Hertford, elected 8th Sept. 1831.
8. The superintendent of the Marquis of Hertford's estate at Orford, elected 9th Sept. 1833.

Of these 10 capital burgesses, one only is resident. All hold municipal offices in the borough of Orford.

Resignations of the Office.

The capital burgesses, though elected for life, have frequently resigned both their office and the freedom, and their resignations have been followed by removal and disfranchisement.

Many instances occurred in 1812, and again in 1822, when the Marquis of Hertford was elected. The motives for resigning are not recorded, and in most cases lie open to conjecture. The following instance shows the nature and extent of the compensation required by one individual.

A clergyman of the Church of England had proposed to resign the office of capital burgess, on condition that the family then possessing the Parliamentary interest of the borough would procure for him the presentation to a living, in the gift of the Lord Chancellor, which was expected to be soon vacant. The value of the living was estimated at 100*l.* a year, and either this, or another of the same value, was asked as the price of his resignation. This proposal was made in 1806. After an interval of six years, it was made the subject of a charge before the council. (*See* "Council.")

2. The Common Council.

The Common Council is empowered by the charter to make laws, statutes and ordinances, "in writing, which to them or the major part of them, whereof either of the bailiffs of the borough aforesaid must be one, shall seem to be meet, useful, honest and necessary, according to the sound discretions of them or the major part of them (whereof either of the bailiffs of the aforesaid borough shall be one) for the time being, for the good rule and government of the aforesaid borough and of all the burgesses and inhabitants, and for the declaring in what manner and order all and every the officers, ministers, artificers, inhabitants and residents of the aforesaid borough for the time being shall demean, carry and behave themselves, in their offices, functions, employments, arts and businesses within the borough aforesaid and the liberties and precincts of the same, for the further weal, public common advantage and good order of the aforesaid borough and the victualling of the same, and for the matters and other causes whatsoever, touching or in any manner concerning the aforesaid borough."

Power to make Laws for the Government of the Borough.

To imprison and fine Offenders against its Laws.

They are also empowered "to inflict such pains, punishments and penalties by imprisonment of body, or by fines and amerciaments, or either of them, in and upon all the offenders against such laws, orders, ordinances and constitutions, or any or either of them to be transgressed, as to them the bailiffs and capital burgesses of the aforesaid borough for the time being, or the major part of them (whereof either of the bailiffs of the aforesaid borough for the time being must be one), shall seem necessary, meet and expedient."

The fines and amerciaments levied are given for their own use, "without account."

Instance of Bye-Laws.

The Laws last made by this council were laws to regulate and restrict the admission of apprentices to the freedom of the borough. (*See* "Freemen.")

Control of Town Property.

Besides the power of making laws, and of enforcing their laws by fine and imprisonment, the property of the corporation, its revenues and expenditure, are under their secret control. In practice the management appears to be left to the acting chamberlain, who is the only resident member. (*See* "Property.")

Electoral Functions.

As an electoral body, they choose the capital burgesses, the inferior burgesses, the recorder and town clerk; and, jointly with the inferior burgesses, they choose the bailiffs and chamberlains. They also create freemen without restriction. The class of persons selected for the offices and franchise will appear as we proceed.

Power of Amotion.

All the corporate officers, including its own members, are removable by the council.

Removal of one of its own Members.

This power of amotion has been frequently exercised after a tender of resignation. In 1812 it was exercised in removing a capital burgess, whose proposal to resign on certain conditions has been noticed. After an interval of more than five years this proposal, which was made in a private and confidential letter to the agent of the Patron, became the ground of a charge against

against this officer. He was tried by his colleagues in the council, found guilty, and removed from his corporate office. A public appeal was afterwards made from the council to the freemen, in which the circumstances attending both the offence and the trial of the offender were disclosed by himself. As these disclosures throw a strong light on the affairs of the corporation, and the secret working of its constitution, I shall report the principal facts and topics of defence, as they were stated in this appeal; extracting such passages as appear to illustrate in a striking manner the effect of the system on the opinions and conduct of a gentleman of education and professional rank.

Previous Admission of new Members.

At a court held two days before the charges were preferred against him, two members of the council resigned; two new inferior burgesses were chosen and sworn into office; and a number of non-resident freemen were elected. It was by one of the inferior burgesses elected at this court that the charges were preferred.

Charges against the accused Member.

The first was, that the accused "against his duty and oath, as a capital burgess, and to the prejudice of the public good of the borough, did corruptly propose and offer to sell, barter and resign his office of capital burgess, in consideration of receiving an ecclesiastical living or benefice in lieu of and in exchange for his office."

A second was, that he had exhorted the bailiffs elect and other annual officers, not to take the oaths of their respective offices; that after they had taken the oaths, he had charged them at their peril not to execute any of the duties of those offices; and in the presence of the corporate assembly had declared, from his place on the bench of bailiffs and capital burgesses, that their proceedings were illegal and void; and that the charter was forfeited by the corporation, and no longer in force or authority in the borough. These charges were preferred at an open court held by the council, in the presence of the Patron.

Evidence in support of the Charges.

The proofs of the first were the two following letters, signed by the defendant, and addressed to the agent of the Patron. The first letter is dated 19 December 1806; the second 3 March 1807.

Letter from the accused Member to the Agent of the Patron.

"1. After you left F———, my sister informed me, that in a conversation which she had with you, you recommended my resigning my twelveship at Aldbro'. Now, in answer to this, I beg leave to make a few observations.

"Early in the spring I wrote to Sir Claude de Crespigny a letter, in which I said, that the recent death of Mr. Pitt, (to whom, however, I was bound by no single tie, but that of inclination,) the complete alteration of affairs in the borough, and the death both of Bunniss and his son, having altogether totally changed the circumstances of the place, I felt myself at liberty, and had also the wish, to enter into a full discussion with him, upon the question of Aldbro', both in relation to what had past, as also with respect to the future interests of Aldbro'. In regard to the former, I told him, and told him truly, that I believed I could explain some particulars of which he had not the slightest conception; and with respect to the latter, I hinted, that I thought it very probable that we might enter into a reciprocity of good services.

"To this letter I never received any answer; but upon this circumstance I shall make no comment, as I well know the ingenuity of certain people contrived to saddle me with the whole weight of that opposition to which I was only a party. As however Sir Claude, for reasons, I suppose, powerful in his opinion, refused to meet my advances towards an accommodation, you can hardly suppose I shall take a step so materially in favour of their interests at Aldbro' as a resignation of the interest I still possess there, without some kind of compensation.

"The proposal I have to make is, that I will resign my twelveship, and my uncle H——, who has authorized me to use his name, will resign his inferior burgesship, upon the conditions, that Sir Claude, or the family, procure for me the presentation to a small living, of the value of 100*l.* per annum, which is expected to be soon vacant, and which is in the gift of the Lord Chancellor.

"Whether Sir Claude will think it worth his while to do away the possibility of future opposition, by means so easy, must remain with himself to decide; but if you will make the proposal to him, you will be adding to the obligations you have before conferred upon me and my family."

Second Letter to the Agent of the Patron.

2. "In answer to your letter of the 25th ult., I now write to inform you, that if the family, to whom I requested you to make proposals in December last, will procure me the presentation to a living of the amount before mentioned, tenable with my advowson of E—— S——, and will give such presentation into the hands of yourself, Mr. Long, or any other person they may appoint, there shall, at the time of my receiving it, be given in exchange the resignation of the respective offices that myself, my uncle and Mr. W—— hold in the borough of A.

"The living which I alluded to in my last letter, is the Rectory of Stratford St. Andrew, near Saxmundham, the present incumbent of which lies in a very deplorable state of debility and insanity. How long he may linger it is impossible to guess: at the time I wrote it was supposed he could not live many weeks: he is at present somewhat revived. This living, however, I only mention as the one most likely to fall within my knowledge; but if any other of the same value was procured, tenable with E—— S——, it would be the same to me; and I believe that is the case with any in the diocese of Norwich.

"The rector of Holton, near Halesworth, died about a fortnight since. This living, which is in the gift of the Lord Chancellor, (as is also Stratford) is probably disposed of: should it not, and the family would procure it for me, there would be no delay on our part."

Notice to the accused Member to show cause against Amotion.

When these letters had been read, the council voted, that the charges and evidence should be recorded; that the capital burgess should be summoned to attend on the 16th January, ten days afterwards; and that notice should in the meantime be served on him, "to show cause, on that day, why he should not be amoved from his office of capital burgess, and deprived of the freedom of the borough of Aldeburgh."

Trial before the Council and Recorder.

The court assembled on the day fixed. The recorder, having decided that an open court could not be allowed for the trial, proceeded to charge the bailiffs and other members of

ALDEBURGH.

of the council who were present. The accuser was then summoned to prefer his information; and the defendant, who appeared with his council and solicitor, after admitting the signature of the letters, entered upon his defence.

Defence before the Council.

Passing over the circumstances and motives that led to a separation of his family from that of the Patron, he began by adverting to the politics of the borough, which had driven him from the place, and from the duties of his office. The events, he said, of a former contest, the re-union of the late patron to his Aldeburgh connexions, and many other particulars fresh in the recollection of the council, had produced no other effect upon his mind than "perfect disgust at borough politics, and a determination never to concern himself again respecting them." With this feeling, he had disposed of his property and quitted the place. Subsequent events, however, made him wish for an accommodation with the Patron's family; and hence that letter to Sir Claude de Crespigny, which was alluded to in the first of the documents given in evidence against him. When he found that no notice was taken of the offer he had made to Sir Claude, he again determined not to disturb himself about the politics of Aldeburgh; but it happened that an election in 1806 brought to the borough a gentleman who had for many years been the confidential friend of his own family, and who was at the same time the confidential friend and accredited agent of the patron.

Disclosure of circumstances attending the proposal to resign.

Considering him, he tells the council, "as a staunch and confidential friend, and with that spirit of confidence which, I trust in God, will ever subsist, but which disclosures, like the one to which I owe the present charge, seem fated to do away, I wrote to him the first letter, dated Ipswich, December 19, 1806; I say, gentlemen, I wrote this letter in confidence: but I will not deny that I should have written it, even had I not conceived that he was our confidential friend; for, upon my most sacred oath, I could conscientiously affirm, that I did not for a moment conceive that I was committing myself to a proposal that rendered me guilty of any act contrary to my duty and oath as a capital burgess, or that needed the safe veil of secrecy."

This letter brought an answer from the agent, stating that he had communicated the proposal to the patron's family; and he was authorized to say, in reply, that if the uncle of the proposer, with the other gentleman alluded to, would resign their municipal offices in the borough, his own wishes should be complied with. The manner of this answer he thought disgusting, but still it increased his wish to get rid of all connexion with what he terms "the borough faction." With this view, he wrote the second letter, produced in evidence against him; to which he received an answer, that the family adhered to the resolution contained in the last. Here all communication ceased, and three days afterwards the agent died.

Having explained to the council the circumstances under which these letters were written, how far the proposal was encouraged and the negotiation carried on till, by the death of the agent, it was abruptly broken off, he proceeds to justify the proposal itself by various arguments and observations.

Justification of the proposal.

"That the offer to resign an office, upon any conditions whatever, can be construed into a corrupt act, contrary to the duties and oath of the person intrusted with that office, is a position I cannot entertain for a moment." He referred to the oath of office. It was true he had sworn, as a member of the council, "not to do, nor suffer to be done, any thing that might tend to the prejudice, hurt or scandal of his fellow brethren, nor of the borough;" but he contended that the whole bearing of this oath was "*durante officio*." He then proceeded to justify his proposal by precedents.

"The resignation of a corporate office," he observes, "for a valuable consideration, is no anomaly in borough records; in many corporations it is an acknowledged principle." Then passing from corporations to the ruling power of states—"Many of them," he argued, "by public treaty have changed hands for a valuable consideration; nor has the prince or potentate of such state ever been accused of acting contrary to the duty and oath by which he bound himself to maintain the laws and liberties of his country, although the policy of his conduct may have been questioned."

Returning to the circumstances of his own case, he calls the attention of the council to the distinction between an act and an intention, contending that he was not committed by any overt act of corruption. "No act was positively committed, no bargain actually concluded; an hypothetical 'if' introduces every sentence; all is mere intention and wish. The gold of corruption, if so my accuser will have it, never entered my hand, nor is there, in this part of the charge, a single overt act committed that can, as I contend, be brought as matter of just accusation against me.—"It is your duty, if intention only is to constitute crime, to look at the whole bearing of my intention. These letters, as I have before said, were written confidentially; and I do not now hesitate to affirm, that to make them the groundwork of a public accusation, is an offence against all the rules of our common and natural affections; an offence against the well-regulated principles of common honour, and an offence which breaks to pieces every tie that binds man to man through all the tender humanities of social intercourse."

But although he complains of confidence betrayed, he adds, that he never supposed it necessary to keep the letters secret. They had been open to the inspection of friends and enemies; copies of them had been for years in their possession; and he had frequently made them the subject of conversation.

This

This was urged as a proof that he did not feel conscious of any evil intention. If he had committed an error, it was "an error of judgment—a mistake—an indiscretion;—which, at the utmost, could only be deserving of cautionary reprimand; and even this, under all the circumstances of the case, might be deemed too severe a reproof."

"It may perhaps chance to happen," he continues, "that some future culprit may be publicly arraigned in this court, on whom not only intention, but positive acts of corruption may be proved; of acts that are not merely connected with the resignation of an office, but of acts *durante officio*, that, contrary to the oaths and duties of office, tend to the positive hurt and injury of the best interests of the borough, to the disfranchisement of its inhabitants, and to the public prostitution of its charters." In this he appears to glance at secret practices, probably well known to those he was addressing, and which will be laid open in the progress of this Report.

Occasion of the Charges founded upon the proposal.

More than five years, he reminds them, had elapsed since the date of the first of his two letters; and the delay, he argues, could not have arisen from ignorance of the transaction, for the documents upon which the charge was founded had been all that time in the pocket or possession of a gentleman then present.

This gentleman was the Patron of the borough.

During this long interval no imputation was thrown upon his conduct; no attempt was made to deprive him of his office. The accusation, he says, had "its origin in conspiracy, corruption and violence." In proof of which he makes the following statement:

On his return to the borough he thought it his duty, on the charter day, to attend in his place as a capital burgess. The town clerk was absent, and had sent down a deputy; this deputy was not acquainted with the routine of business upon a charter day, and some irregularities made him hint that they would endanger their charter by a neglect of the formalities prescribed. This hint gave offence to the Patron; and the warmth he displayed on the occasion "embodied a small but compact party, determined to protect the rights and property of the Inhabitants, and to oppose a barrier to an usurpation, which, always disgraceful, had now become oppressive and vindictive." One of this small and compact body was the defendant himself.

"That I have been an active favourer of this party, I will not for a moment deny; on the contrary, gentlemen, I am proud to acknowledge it. It has united the hearts of more than nine-tenths of the inhabitants of this place in one wish and sentiment, that of freedom and independence."

While acting in concert with the Inhabitants, he endeavoured to obtain access to the public records of the borough. After a considerable time spent first in requests, and then in demands, he was at length allowed to inspect them, and though a member of the ruling body, he acknowledges this permission as a "civility and accommodation." He was not, however, allowed to inspect them alone. The Patron and the inferior burgess, who afterwards became his accuser, were both present. A conversation took place respecting some recent acts and omissions of the corporation, which appears to have been unsatisfactory to the former; for on the same day, while the accused was sitting at his inn, arranging the extracts he had made from the books, the inferior burgess was announced, and after a little introductory apology, informed him that it was the Patron's intention to remove him from his office of capital burgess. Legal opinions, he said, had been taken upon the case, and though a difference of opinion existed, the Patron would run the risk, if he persevered in his opposition. "For, sir," continued this functionary, "although I have shown you what, under certain circumstances, is the Patron's intention, yet that is not the chief purport of my visit to you, which is, to inquire whether it would not be possible to effect a reconciliation."

Attempt to compromise the matter.

The dialogue which followed is instructive as to the nature of Borough Patronage at that period.

The Capital Burgess observed, that a political reconciliation was now become impossible; that there had been a time when it might not have been so, but that the conduct of the Patron towards him had long rendered that a matter never to be effected.

The Inferior Burgess replied, that he was authorized by the Patron, to offer every proper acknowledgment, and to say, that if the defendant could be induced to coalesce, his professional situation should be attended to, or words to that effect.

Capital Burgess. "You are aware, sir, that there is a club in this town, and that I am a member of it?"

The Inferior Burgess said that he was perfectly aware of both circumstances.

"Then, sir," resumed the Capital Burgess, "take as my answer to any proposition you can make, that I am determined to abide by the public declarations I have there made."

It was only a few days afterwards, he complains, that the same Inferior Burgess appeared before the council, in the character of informer and accuser. "And now, gentlemen," he exclaims in his address to the council, "can you wonder at my surprise and indignation, when I see this same person officiously thrusting himself into the no very enviable situation of an informer and accuser, resting one part of his accusation upon documents which, in common honour and probity, ought to have been consigned to oblivion at the death of the person to whom they were addressed, and the other upon an ill-assorted and unfounded assertion, which really I can but think he himself repents of having made? How can this

ALDEBURGH.

gentleman, who himself endeavoured to influence my conduct by offers of advantageous re-union, dare to impeach it, for the sake of removing me from an office, to which, as I have every reason to believe, he himself aspires?"

Under the influence of these feelings of surprise and indignation at finding himself betrayed, he discloses what he terms "the further duplicity of his accuser," by repeating to the council the sentiments entertained and expressed by their new officer, with regard to borough machinery and municipal office. "But let me inform you, gentlemen, before you proceed to pass judgment, that I and others have heard this gentleman affirm, that boroughs were now but mere machines for the return of members, and that all these important offices, for a breach of the duties of one of which he nevertheless presumes to accuse me, are mere dead letters, and of no moment or consideration." This, he observes, is the person who is no sooner enfranchised and elected a corporate officer than he attempts to expel the only individual of the council who had any natural claim to his place as a native and inhabitant of the borough, while he is himself "a person till of late unknown to the inhabitants."

"Is this, gentlemen," he asks the council, "fulfilling the gracious intentions of that same sovereign who of his especial favour enabled the Inhabitants of this place to meet justice within their own precincts? is it not rather a public demonstration of that determined spirit of proscription which caused a member of your common council to aver that, with his consent, an inhabitant of Aldeburgh never should again enjoy the freedom of the borough! Is this the mode of reconciling the minds of those submitted to your charge? Is this the way to approve yourselves impartial administrators of public justice upon the fair principles of the wise and beneficent laws of our excellent constitution?"

In conclusion, he reminds his judges, that no overt act had been committed, and that a proposal to resign an office for a valuable consideration was a practice publicly recognized by the first characters of the country upon a proposed change of administration; that these supposed acts of criminality had, during a period of five years, been known to the bailiffs and common council of the borough, and yet they had not only permitted him to act as a municipal officer, but had frequently summoned him to their assemblies.

Reply to this Defence.

The Inferior Burgess was heard in reply. He admitted, says the defendant, that the whole proceeding had been confidential, but denied that he was the person who had betrayed confidence, and congratulated himself that he had lost no time, since he became a member of the corporation, in bringing before the council an act of one of its members which tended to the injury and scandal of the borough. He insisted much upon the scandal.

The declaration that boroughs were mere machines for the return of Members, and municipal officers dead letters, was denied by the one, and re-asserted by the other.

The Recorder summed up. As to the defence, "he did not deign," the defendant remarks, "to notice one single argument it contained, except that which was founded on the length of time suffered to elapse since the commission of the alleged offence."

Members of the Council present as Judges.

The court then proceeded to judgment. The judges present were the Patron himself, his brother and his brother-in-law, an assistant magistrate who had come from his residence in Kent to attend the trial, the town clerk, the landlord of an inn in the town, and the capital burgesses recently made, who had been sworn into their offices a short time before they voted; two of whom, says the defendant, were strangers both to the council and the inhabitants, and first introduced by the Patron upon this occasion, and the third was a personal friend of the Patron, unconnected with the borough, but at that time employed at the signal station of Aldeburgh. Three out of the seven had been elected into office during the preceding week. The last of the three is one of the present magistrates.

Verdict of Guilty, followed by Removal from Office.

The only individual who did not vote was the town clerk: the others were unanimous in pronouncing a verdict of guilty, and the defendant was removed from his corporate office.

Appeal from the Council to the Freemen.

The charge had been made in an open court, but an open court was not allowed for the defence and trial. This is stated as the reason for making a public appeal to the freemen in justification of his conduct. The whole of his defence before the council, as well as the circumstances of the trial, were embodied in the appeal. He invites the freemen "to reflect whether they can conscientiously lend themselves to a system that goes to the total disfranchisement of the inhabitants of Aldeburgh, who are the only natural heirs of those rights and privileges which were granted to their ancestors by the various charters of the borough."

Apology for non-residence and neglect of Municipal Duties.

An apology, which before the council could hardly have operated in his favour, and might have been considered a covert personality, was thought necessary for a favourable hearing. An apology is accordingly made for non-residence, and the consequent neglect of his official duties. "With respect," he observes, "to the personal obligation to attend to my official duty, perhaps it may be admitted, that I was not at that time perfectly aware of the precise nature of it; and the constant and long standing example of the great majority of the capital burgesses, who, from not residing within the borough, seldom attended to its concerns, materially tended to confirm the opinion I entertained, that it was a mere matter of personal choice whether I attended or not."

State of the Corporation alleged as an excuse.

The state of the corporation, however, at that time, was a standing precedent for non-residence:—"Of this corporation, there are resident within the borough—Bailiffs, one; justices,

justices, not one; capital burgesses, two; inferior burgesses, nine; freemen, whose aggregate number may be estimated from 120 to 150, not more than 20; and of these, several are placemen."

"That the corporation of Aldeburgh," he observes, "as it is at present constituted, is of any advantage to the inhabitants of the borough, is a question it would be superfluous to discuss; since, I believe, that very few individual exceptions, out of the whole mass of its population, could be found, who would not rejoice in its dissolution, unless its continuance was accompanied by a restitution of the rights and privileges granted to their forefathers, and which they ought unquestionably still to possess."

It will be found as we proceed, that the number of non-residents has considerably increased since this appeal was made; and that the continuance of the corporation has been accompanied by a further limitation of the rights and privileges originally granted to the inhabitants.

Excuse founded on actual Resignations of the Offices and Franchise, for a valuable consideration.

As the appellant had no difficulty in finding precedents for the neglect of official duties by non-residence, so others were easily found to show that residence was no security for the performance of those duties. "No fact," he tells the freemen, "can be more positive, or more publicly known within the borough, than that some of the late capital burgesses and freemen, resident within the borough, have been induced to resign their several offices and franchises for a valuable consideration paid, or caused to be paid to them by the present Patron of the borough. Surely, he adds, there can be no question between the act of resignation, and the actual corrupt purchasing these resignations, as it should seem solely for the purpose of disfranchising the few resident freemen of the place."

Instances of such resignations will occur in my report. The valuable consideration paid for them appears to explain a codicil to the former Patron's will, which is thus quoted in the appeal:—"My son Thomas being dead, I will and direct my executors and trustees *to apply not only the income and produce of all my estate and property in the said borough, to maintain and keep up my family interest there, and to the general expenses and annuities as I am bound in honour or otherwise to pay, and which I may be in the payment of at the time of my death*; but also to appropriate for the like purpose so much more as may be necessary from the rents, issues and profits of any other part of my estates. And it is my wish, intent and meaning, that a separate account should be kept of all receipts as well as outgoings and expenses relative to my said estate, houses and property, and interest in the said borough of Aldeburgh, and whenever they are possessed of and have in hand any sum beyond or more than has been by them advanced and paid for the above purposes, that then, &c." Then comes a provision for the children. "With this disposition of property," he observes, "the Patron naturally enough considered his interest in the borough of Aldeburgh as not depending upon the good wishes of its inhabitants."

Further disclosures relating to this proceeding.

The secret part of the transaction is more fully exposed in the appeal than in the defence. The promise of the living, he tells the freemen, was procured:—"I have since been informed, by authority upon which I can rely, that the promise of the living was in fact procured; and that this negotiation, which was retarded by the point at issue between us, whether our resignations should take place of the presentation, would certainly have been completed, had not the death of the agent prevented all future explanation." When all future explanation was prevented, the letters were retained as evidence, and the use ultimately made of them, he says, had long before been threatened. "The Patron, either in the town-hall or in the council chamber, mentioned that he had two letters of mine, which he would publish if I offered any opposition to his views. Reflecting upon the propriety of this act for more than four years, he has at length put it into execution. Whether this public exposure of a private correspondence with the confidential agent of his family will justify the patron's conduct, or tend to the consolidation of his property and interest in the borough, is not a question for me to decide."

This breach of private trust made him think on the public trust with which he was invested, for he was still a trustee of the town lands. He therefore takes this opportunity of pledging himself to the freemen, "not to miss the first opportunity, when he feels himself legally authorized to do so, of proving to the Inhabitants of Aldeburgh, that he holds his trust for their benefit." It is to be regretted that the duties of a public trustee had not occurred to him with equal force while he retained his place in the council; though indeed it does not appear that even at this period he was conscious of any injury or scandal attached to the offer of resignation; such was the effect produced on his mind by the state of the corporation.

On the reply made at the trial, he observes,—"The accuser, in his reply, insisted much upon the injury and scandal attached to the offer of resignation. What injury the borough could sustain by an offer to resign an office into the hands of the bailiffs and common council, who had the power of accepting or refusing it, and, in the former case, of filling up the vacancy at their own discretion, remains yet to be proved."—"Again the accuser insisted that it was publicly offering an office of trust to sale. That I can ever succeed in convincing him that such a proposition, as attached to a corporate office, is legal, I do not for a moment suspect; but with respect to the offer I confess to have made, be it remarked, that although he asserted that it was public, yet he himself acknowledged the whole was a confidential proceeding. Corruption and scandal are the watchwords of the day; and much do I wish that no better grounds could be found for such charges than the offer which I confidentially made five or six years since to a private friend to resign the office of capital burgess of the borough of Aldeburgh."

ALDEBURGH.

With this appeal the matter closed. An application to the Court of King's Bench was talked of, but it was not thought prudent to bring the circumstances before the public.

With reference to this proceeding, I addressed a letter to the ex-member of the council, who does not reside in the borough, and was not present during the municipal inquiry. In this letter, after communicating to him that my attention had been called to his removal, and to the circumstances attending it, I invited him to send me any further explanation of the matter which he might deem necessary. In reply, after repeating his opinion that "there is a strong and marked distinction to be made between a conditional offer to resign an office into the hands of the body who conferred it, and an offer on an agreement to do any particular official act," he goes on to observe, "that all matters connected with the proceedings of corporate bodies are regarded now in a very different light to what they were 30 years since, and before any censure is passed, it is only fair to take into consideration the marked change that has taken place since that period.—With regard to the proceedings of the council of the corporation of Aldeburgh, or the spirit which guided them, I will not say much—it cannot, I am sure, have escaped your penetration; all I will add on that head is, that although I knew the private letter to which I have before referred was in their possession, they suffered six years to elapse before they availed themselves of it, and made it a pretence for removing me from my office only a few months before, with one or two exceptions, all the Council resigned their offices into the hands of persons, till that moment perfect strangers to the borough. What their motives could be for so simultaneous a resignation is, of course, only matter of opinion."

"The habits of the borough," he adds, "had for many years accustomed its members to the offices of Patronage to which my letter alluded, and so far therefore I was unconsciously led to the adoption of an act, that at the time I had not the remotest idea was wrong either in principle or practice. I should now not so argue or act; but the experience of 30 years has effected as great a change in my opinion on this subject, as it has upon the general opinion of the country."

It will be found, as we proceed, that this statement is in many points corroborated by the evidence of others given on the spot, and in no point contradicted; and that this act, which a member of the Council was led to adopt, without any idea that it was "wrong either in principle or practice," was one of many acts connected with the system of borough patronage that will be developed in the course of this Report. The system was upheld while the individual act was punished.—(*See* "Inferior Burgesses." "Freemen.")

3. OFFICERS appointed by the Council.

Inferior Burgesses.

The 24 Inferior Burgesses, elected by the common council from the burgesses or freemen, hold their office for life, subject to amotion by the council.

The qualification required by the charters for this office is to be an "honest burgess."

They have no separate functions; but they vote in the election of the bailiffs and the chamberlains, and are alone eligible to be capital burgesses.

Not a single member of this select body is resident, or in any way connected with the borough: even the places of residence of one-half are unknown to the town clerk.

Those who could be described by occupation or residence were,—

1. The mayor of Orford.
2. Captain Sir George Seymour, } residing in London.
3. Sir Henry Frederick Cooke, }
4–6. A clergyman, and two gentlemen of the county.
7. A solicitor practising in London.
8. The town clerk, practising in Ipswich.

The others are known only by name.

It is the custom to keep a certain number of vacancies in this class of burgesses, as a free passage to the council. The present number is eight.

Resignations of the Office.

This office, like that of capital burgess, has been frequently resigned, and the resignation has, in some instances, been a matter of bargain and sale.

One of those who resigned some years ago admits that he received 35 *l.* on the occasion, and he received it in the presence, if not from the hands, of two members of the then council.

Another admits that he was sent round on the same occasion to purchase resignations, and that on his first admission into the corporation, the common talk and belief was, that 60 *l.* were given for the resignation of an inferior burgess. He also states that he was himself elected into the office, because "they could rely upon him;" and when in his turn he was called upon to resign by a former patron of the borough, he obeyed the call, resigned, and was disfranchised.

Recorder.

The Recorder is elected by the council.

He is required to be "an honest and discreet man, learned in the laws of England, and of the degree of the utter barristers." The office is held during the pleasure of the electors.

He is a justice of the peace within the borough, and the sessions cannot be held in his absence. There is no salary attached to the office.

The present recorder is William Harrison, esq., elected in 1822, and residing in London. (*See* "Sessions.")

Town Clerk.

The Town Clerk is elected by the common council, and holds his office during their pleasure.

Any "honest and discreet man" is eligible.

He

He is appointed by the charter to be clerk of the peace for the borough, and one of the officers before whom the civil court was to be held. He is not clerk to the magistrates, nor have they any clerk.

His salary is 8*l.* 8*s.* a year, and he is entitled to fees both on the admission of freemen and on the election of members of the corporation. The emoluments of his office are estimated at 25*l.* a year.

The present town clerk is a solicitor residing in Ipswich. He is also an inferior burgess of this borough, and both the town clerk and a capital burgess of the borough of Orford.

4. Other Officers.

Chamberlains.

The Chamberlains, who are not charter-officers, are annually elected by the bailiffs, capital burgesses and inferior burgesses, and generally from their own body. They are removable by a majority of those who appoint them.

They are the treasurers and accountants of the corporate funds, and are usually appointed receivers by the trustees of the town marshes, from which the revenues of the corporation are principally derived. (*See* "Property.")

Their accounts are audited by the bailiffs and trustees of the marshes; but they are not subject to any public examination or inspection. (*See* "Expenditure.")

The salary is 5*l.* a year.

The acting chamberlain is a capital burgess, an assistant justice of the borough, and the only resident member of the ruling body.

Serjeants-at-Mace.

The Serjeants at Mace are annually appointed by the bailiffs, and removable by them.

They formerly officiated in the civil court and executed its process. At present they have no other duty than attendance on the bailiffs, for which they receive a joint salary of 4*l.* a year, and a fee of 5*s.* on the admission of every freeman.

Constables.

The Constables are annually appointed from the inhabitants by the magistrates of the borough. They perform the ordinary duties of the office, without salary or fixed emoluments.

Gaoler.

The Gaoler is appointed by the bailiffs during their pleasure. He has no salary, and is generally one of the constables.

Fen Reeve.

The Fen Reeve is annually appointed by the bailiffs.
He superintends the town marshes, and his salary is 7*l.* 10*s.* a year.

Ale Founder.

The Ale Founder receives 1*l.* a year.

The Freedom of this borough is acquired either by servitude or by gift.

5. Freemen.

Title to Admission.

Restrictions on admissions by Servitude.

In 1812, the following law was made at an assembly of the corporation, to regulate the admission of apprentices:—"Whereas it is contrary to the law of this kingdom for any person to use any of certain trades, arts, mysteries and manual occupations, to which he or she has not served an apprenticeship of seven years to some person or persons legally qualified to use the same: And whereas it is the duty of this corporation to maintain and obey the laws of this kingdom, and as far as in them lies, to cause the said laws to be maintained and obeyed; it is ordered and decreed by the bailiffs and major part of the capital burgesses of this borough now in common council assembled, pursuant to public summons made, that no person is or shall be entitled to the freedom of this borough, by reason of his servitude of apprenticeship to any of the aforesaid trades, arts, mysteries or manual occupations, unless he shall have served an apprenticeship of seven years in this borough, or in the liberties or precincts thereof, to a freeman thereof, using for the said seven years any of the aforesaid trades, arts, mysteries or manual occupations, to which he, the said freeman, has served an apprenticeship of seven years to some person or persons legally qualified to use the same."

The admission therefore is subject to the following conditions. The service must be within the borough; the master must continue a freeman throughout the whole of the seven years; and he must himself have served an apprenticeship of seven years to a qualified person.

Consequently the disfranchisement of the master, at any time before the expiration of the service, may defeat the apprentice's right to admission; and complaints were made that such had been the case.

Instances of rejected Claims to admission by servitude.

A respectable inhabitant stated that, after serving an apprenticeship of seven years, on applying for admission, he was told by the former town-clerk, that his master had resigned the franchise before the termination of his service, and that his remedy was in the Court of King's Bench. He frequently repeated his application to be admitted, but without success; and he was not disposed to incur the expense of a mandamus. The master, it appeared, had resigned his franchise at the request of the then Patron of the borough.

The following is another complaint of rejection on different grounds. An apprentice bound to a carpenter, after serving the seven years, applied for admission. This was about the year 1818. The town clerk looked at his indentures, and said "every thing was right;" but one of the council objected, that he had not been bound for the purpose of learning his trade. The applicant admitted that one of his motives for serving an apprenticeship had been to obtain the freedom of the borough. His application was made just before an election. The council refused admission.

ALDEBURGH.

A further restriction is imposed by an order of the council, that no apprentice should be admitted without payment of a fine of 5*l*. This order, however, has not been recently enforced.

The indenture must be registered by the town clerk.

Fees on Admission.

The Fees paid on admission are 10*s*. 6*d*. to the town clerk, and 5*s*. to each of the serjeants at mace.

Privileges of the Freemen.

The Privileges of the freemen are:—

1. Exemption from one-half the "drift," or sum paid by the inhabitants for the depasture of the town marshes.
2. Exemption from two-thirds of the dues levied on corn and coals in the Port of Aldeburgh. (*See* "Port Dues.")
3. Exemption from service as jurors out of the borough.
4. Exemption from answering in the county courts, unless the interests of the Crown are concerned. The latter privilege is conferred by charter on all the burgesses and inhabitants.

While this was a Parliamentary borough, the right of voting was in the freemen. An attempt was made in 1715, to limit this right to the residents; and on a petition from the borough, a committee of privileges and elections reported in favour of the limitation. Their resolution was:—"That it is the opinion of this committee, that the right of election of members to serve in Parliament for the borough of Aldeburgh, in the county of Suffolk, is in the bailiffs and burgesses resident within the said borough, and not receiving alms."*

The attempt, however, to make residence a qualification was not successful; and the consequence is seen in the present composition of the corporate body.

Creations and Disfranchisements.

The great majority of its members were enfranchised by the council, without any local connexion or title—at least no title which could be given in evidence, or publicly stated.

A batch of honorary freemen was made in 1822, when the Marquis of Hertford and other members of the present ruling body were admitted; and about the same time there were numerous resignations of the freedom, which were followed by disfranchisement.

In 1812 there had been a similar creation of honorary freemen, accompanied by similar resignations and disfranchisements. The persons enfranchised were, on both occasions, the personal friends or political adherents of a new Patron, neither residing themselves in the borough, nor having any local connexion.

The town clerk was unable to explain why these simultaneous resignations took place, beyond this—that they were "matters of honour;" and they happened, he found, to be contemporaneous with a change of the council, and a transfer of Parliamentary interest in the borough. A pledge therefore, either express or implied, appears to have been exacted from these honorary freemen, that they would resign the franchise when the Patron was changed.

That the resignations, however, were not always made without an equivalent, where an office was attached to the franchise, I have already shown in the compensation required by one of the capital burgesses, and obtained by one of the inferior burgesses. The price of a common burgess was less in proportion to his corporate rank. One sold his franchise for 20*l*. He sold it, he says, to the chamberlain, who was at that time a newly elected member of the council, and one of those who sat in judgment on the capital burgess, joined in the verdict of guilty, and voted for his removal.

The chamberlain did not at first deny the charge, though he did not recollect the fact. He afterwards denied all knowledge of corrupt practices in the borough;—he did not know a single instance of money given to a freeman for such purposes. The statement, however, of the disfranchised witness, with regard to the existence of these practices, was corroborated, as well by other evidence as by the facts alleged in the defence, appeal and letter of the capital burgess who was removed.

It was on this same occasion, to which the witness in question refers, that one of the select body of "honest burgesses" was sent round among the freemen to purchase their resignations. He was commissioned, he says, to do this by a leading member of the council. The sum he was authorized to offer at first was ten guineas, but this was not found enough, and the price was doubled. This member of the council, from whom he states that he received his mission, was another of those who joined the verdict of guilty against the clergyman, and voted for his removal. The vote appears to have been given about the same time.

After a tender of resignation, the freemen were disfranchised by the council, or as it is written in the books of the corporation, they were removed from "the office of freemen."

It appears from the following instance, that another mode of trafficking with the franchise was, by making it the reward of a vote at an election. An old burgess states that he was admitted on the nomination of his father, who, after voting at the election, was allowed his choice, either to receive ten guineas or to make his son free. This admission took place several years ago.

By means of these creations and disfranchisements, the freedom of the borough has been transferred from the inhabitants to a body of strangers; and in the present distribution of the franchise, only five members of the corporate body are resident.

IV. JURISDICTION.

The Criminal Jurisdiction of the borough is in practice exclusive. The Civil Jurisdiction is obsolete.

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* Journ. vol. 18. p. 176, col. 1. Ap. 1 Dougl. p. 327.

The Magistracy is composed of the bailiffs, the bailiffs of the preceding year and the recorder. One of the five resides within the precincts of the borough. Magistracy.

The Courts established by the charter are,— Courts.

1. A Court of General Sessions of the Peace,
2. A Civil Court of Record,
3. A Court of Pie Poudre.

The magistrates, or any three of them, including the recorder and one of the bailiffs, may at any time hold a Court of Sessions, to try offences committed within the liberties; but they cannot try treason, murder, felony or other matter touching the loss of life or limb, without a special warrant from the King. 1. Sessions.

Since 1822, no sessions have been held. The commitments made by the borough magistrates have been few, and the offenders have been tried either at the county sessions or assizes.

The Court of Record was formerly held before the bailiffs and town clerk, and had cognizance of all pleas, personal and mixed, where the cause of action had arisen within the borough, and the damages did not exceed 30*l.* There is no record of any proceedings in this court for more than a century. 2. Civil Court.

The Pie Poudre Court is also obsolete. 3. Pie Poudre Court.

Four Constables appointed by the magistrates, constitute the local police. They are not paid by the corporation. The borough is generally quiet, and the offences committed are few. Police.

The Gaol consists of a single cell under the town hall, in which disorderly persons are occasionally confined. Prisoners committed for trial or for any lengthened period, are sent to the gaol of the liberty of St. Etheldred, at Woodbridge, to which the magistrates have, by their charter, the power to commit. Gaol.

The town contains eight public-houses, which are licensed by the borough magistrates. Neither themselves nor other members of the corporation are proprietors. Licenses.

The corporation do not at all interfere in the management of the Poor. Poor.

V
PROPERTY.

The Corporate Revenue arises principally from the profits of the town marshes previously mentioned, which comprise 188 acres of land within the borough, and, subject to certain annual payments, are held in trust for the corporation. The annual payments arise from charitable bequests, and will be stated under the head of "Permanent Charges."

These marshes were purchased in 1610 by four persons, who by the charter of James I. in 1605 had been appointed capital burgesses. After a succession of conveyances, made by different members of the corporation, the land has been vested in the present trustees, some of whom are also members of the corporation. 1. Town Marshes.

The rents and profits had always been received by the chamberlain till 1809, when the trustees took them into their own hands, and a Chancery suit was the consequence. In 1817 they abandoned their claim, retaining the mesne profits; and by lease and release, dated the 29th and 30th September, the lands were conveyed to the present trustees. Since that time the corporation have again had the occupation and management of the property.

The following declaration of trust accompanies the conveyance:—

"Upon trust, that they and their heirs shall apply so much of the profits of the said lands, called the Town Marshes, as shall satisfy the increase of the said 200*l.*, to and for such uses and trusts as they the said Thomas Chinery and William Lawes directed and appointed; and in pursuance thereof, that they the said trustees, or the major part of them, shall yearly and every year for ever hereafter, on the 8th day of September, elect and choose out of the said trustees, or other chief inhabitants of the said borough of Aldeburgh, two persons to receive the rents and profits of the said premises called the Town Marshes, who shall yearly for ever hereafter, out of the said rents and profits, upon Good Friday, pay to the minister of the said town of Aldboro' for the time being, or such other minister as the said bailiffs of the said borough for the time being appoint, 20*s.* for a sermon to be preached on that day in the church of Aldeburgh aforesaid; and shall likewise then pay and give to and amongst the poor people of the said parish the sum of three pounds in money, as the gift of the said Thomas Chinery; and further, that the persons who as aforesaid shall be elected and chosen to receive the rents and profits of the said premises called the Town Marshes, shall yearly for ever hereafter disburse and bestow the sum of 5*l.* out of the rents and profits aforesaid to and amongst the poor persons of Aldeburgh aforesaid, either by binding forth poor children apprentices or providing a stock to set them on work, or in such other charitable manner as the said trustees, or the major part of them, shall in their discretion think most convenient and needful, as the gift of the said William Lawes: And upon this further trust, that the residue of the rents, issues and profits of the said lands and premises called the Town Marshes, together with the rents, issues and profits of all and singular other the lands and premises herein and hereby granted and released, shall be employed and disposed of for the support ordering and well governing of the said corporation of Aldeburgh, in such sort and manner as the said bailiffs and burgesses shall think fit."

These lands are used for depasturing cattle, and the average proceeds rather exceed 300*l.* per annum. The amount in 1832–3 was 306*l.* 8*s.*

In addition to this sum, the corporation receives from the parish 3*l.* 3*s.* a year as the rent of the Poor-house, which is built on the marshes. 2. Poor-house.

ALDEBURGH.

3. Cottage. They are also proprietors of a Cottage in the town, worth about 5*l.* per annum, which is occupied by a poor widow at a nominal rent.

4. Turnpike Bonds. Their personal property consists of four Turnpike Bonds of 50*l.* each, which have been purchased at different times out of the balances in the hands of the chamberlain, and now produce 8*l.* per annum. A balance of 196*l.* 13*s.* 4*d.* was still due to the corporation when the last account was audited.

Income. The Income varies from year to year, depending principally on the amount of "the drifts," or sums paid, for depasturing the marshes. In the year ending Michaelmas 1833, the total income was 317*l.* 3*s.*, and the average rather exceeds 300*l.* a year.

Permanent Charges. This income is charged with a Fee-farm Rent of 1*l.* 2*s.* a year, which is regularly paid.

1. Fee-farm Rent. It is also charged with the annual payments previously mentioned. These are the payments of interest on two sums of 100*l.* each, received by the corporation, under the following bequests:—

2. Chenery's Bequest. 1. A sum of 100*l.*, bequeathed by Thomas Chenery, of Aldborough, in trust, to apply the interest in payment of 1*l.* for a sermon on Good Friday, and 3*l.* to the poor of the parish.

The interest is annually paid to the churchwardens, and applied by them in conformity with the will.

3. Lawes's Bequest. 2. A second sum of 100*l.* was bequeathed by William Lawes, of London, in trust, to apply the interest in apprenticing two poor children every year.

The Charity Commissioners report, that "the payment (of these sums) is made to the churchwardens, who apply 5*l.* a year towards apprenticing poor children, as the funds in hand suffice; pay 1*l.* a year to the ministers for a sermon preached on Good Friday, and give the residue in bread and money among the poor on the same day."

They were either misinformed with regard to the annual payment to the churchwardens, or a change has taken place since they visited the borough. The churchwardens do not at present "apply 5*l.* a year towards apprenticing poor children, as the funds in hand suffice."

The interest is said to be paid when applied for, and sometimes it is not applied for at all. During the last year 2*l.* 10*s.* was advanced for binding out one apprentice, and there remains at present in the hands of the chamberlain a sum of 7*l.* 10*s.* available for the same purpose.

These sums were formerly charged on a corporation estate in Kelsale, which was mortgaged many years ago, and the mortgage was foreclosed. They have since been secured on the town marshes.

4. Covell's Gift. There is a further charge of 2*l.* per annum, arising out of a gift of William Covell, to provide bread for the poor of Aldborough. This sum is paid to the churchwardens, and distributed by them in bread.

The permanent annual charges therefore are—

	£.	s.	d.
Fee-farm rent	1	2	–
Charities—Chenery's	4	–	–
Lawes's	4	–	–
Covell's	2	–	–
TOTAL £.	11	2	–

Expenditure. Deducting this amount from the ordinary income, the sum available for general purposes is about 290*l.* a year.

This sum is expended in the payment of Rates and other outgoings incident to the property; Salaries to corporate officers; Law charges; Tavern entertainments; and occasional donations.

The Salaries have already been enumerated.

The Law charges amounted last year to 29*l.* 8*s.* 4*d.*, and of this sum 18*l.* 7*s.* 10*d.* were paid to the town clerk.

The Donations were—

	£.	s.	d.
To National School	10	–	–
– Widows of the crew of a schooner lost at sea	10	–	–
– Poor widows	2	12	–
– For the loss of a boat	2	–	–
£.	24	12	–

There is also a payment of 14*l.* 18*s.* for coals to widows.

The

ALDEBURGH.

The whole expenditure of the year ending at Michaelmas 1833 amounted to 348*l.* 5*s.* 10½*d.*, and exceeded the income by 29*l.* 5*s.* 10½*d.* The deficiency was met by a previous balance in the hands of the chamberlain, which is now reduced to 196*l.* 18*s.* 4*d.* A balance of nearly this amount is always reserved in his own hands, in order, as he states, to be prepared for casualties.

A copy of his account of receipts and disbursements accompanies this Report.

Audit. (*See* "Chamberlain," *supra.*)

Audit.

The only known Alienation of property, within the last 50 years, was a sale of 2 A. & 25 P. of land in the borough, occupied under two leases, dated 1796 and 1806, for the respective terms of 90 and 79 years. The reserved rents amounted together to 3*l.* 3*s.* per annum. This land was sold, in 1817, to Leveson Vernon, esquire, and the proceeds are supposed to have been carried to the general corporate fund; but the amount is unknown, and the chamberlain's accounts of this and every other year from 1809 to 1818 are missing.

Alienations.

The Quay Trust Estate was formerly in the possession of the corporation. The cause of their dispossession is assigned by the Charity Commissioners. "Their management of the revenues not being approved of by the inhabitants, means were employed to discover the heir-at-law of the last surviving trustee, which proved effectual, and the property was given up for the use of the parish."

VI. PATRONAGE.

The charter of Charles I. established a free grammar school, to be called the Free Grammar School of the Bailiffs and Burgesses of the Borough of Aldeburgh; and the ordinary of the diocese, with the capital burgesses, are incorporated as governors of its goods and revenues, with a power of appointing the head master and an under-master. No trace, however, appears of the existence of such a school.

VII. STATE OF THE TOWN.

The Population of this borough,

In 1801	was	804
1811		1,066
1821		1,212
1831		1,341

(*Pop. Ret.* 1831.)

The ratio of increase has therefore been diminishing throughout the present century.

Occupations.

This population is distributed into—

Families	Employed in agriculture	12
	Trade or manufactures	156
	Others	162
		330

(*Pop. Ret.* 1831.)

Houses.

The whole number of Houses, in 1830, valued at 10*l.* and upwards, did not exceed 31, and of this number 24 were under 20*l.* (*Parl. Pap.* 1831, No. 202.)

Property.

The annual value of Real Property, in 1815, is stated in the Population Returns to have been 2,005*l.* (*Pop. Ret.* 1831.) It is supposed to be now less.

Assessed Taxes.

The amount of Assessed Taxes for the years ending 5th April,

		£.	s.	d.
1829	were	308	12	2½
1830		331	11	7½
1831		297	9	5½

(*Parl. Paper*, 1831, No. 69.)

Parochial Assessment.

The amount of Parochial Assessment, for the years ending 25th March,

		£.	s.	d.
1825	were	639	8	–
1829		582	12	–

(*Parl. Paper*, 1830, No. 83.)

A contribution to the county rate is included in this assessment. The rate varies from 10*s.* to 13*s.* in the pound on the rental of lands and houses, which are assessed at one-third of their real value.

Dues

ALDEBURGH. Port Dues.

Dues are levied in the Port of Aldeburgh, which are inconsiderable in amount. They are levied according to the following Table:—

Denomination and Description of Duty, Rate or Toll.	Upon what Class of Shipping, or on what Articles of Import or Export charged.	Rate of Duty.	Produce of Duty in the Years 1830. £. s. d.	1831. £. s. d.	1832. £. s. d.
Beaconage	All belonging to the port, and all Strangers entering the harbour	Merchant vessels 5s. per annum; Smacks, 2s. 6d. do. 2s. each time	12 – –	11 18 –	12 2 –
Groundage	All vessels not belonging to the port entering the harbour	1s. 8d. each time	3 19 6	4 6 6	4 4 –
Wharfage	Any vessels delivering or landing a cargo at the quay	3d. per chaldron on coals, 3d. per last of corn, 3d. per hogshead, & smaller articles in proportion	21 5 –	19 15 –	18 10 –
Ditto	Ditto	Ditto, and vessels not belonging to the inhabitants of Aldborough pay double	47 17 9	37 15 4	41 17 –
		£.	85 2 3	73 14 10	76 13 –

The beaconage, groundage and wharfage are levied under the authority of the corporation of Orford, and are appropriated to the repairs of the quay, and the remuneration of the harbour-master.

All vessels belonging to the port are exempt from groundage; and freemen of any corporation pay 6d. only, being the smallest silver currency of the realm.

The exemption of freemen of the borough from a part of the duty on coals and corn has been stated.

The wharfage is levied under the authority of an ancient grant from the Lord of the Manor to the feoffees of Aldborough quay, and is appropriated to the repairs of the quay, and the surplus to charitable purposes.

There are no Local Acts regulating the affairs of this borough.

VIII. SUMMARY and OBSERVATIONS.

The Corporation of this borough consists of two bailiffs, ten capital burgesses, a limited number of inferior burgesses, and an unlimited number of freemen. The bailiffs are chosen from the capital burgesses, these from the inferior burgesses, and the inferior burgesses from the freemen.

The local government is intrusted to a self-elected Council, composed of the bailiffs and capital burgesses. This council is empowered to make laws for the inhabitants; to appoint the borough magistrates; to elect and remove the inferior burgesses, and other municipal officers; and to create freemen without any restriction or qualification.

The Bailiffs are the chief magistrates of the town, and are invested by the constitution with other functions, both judicial and ministerial. The Capital Burgesses, who form the rest of the council, are selected as "the most respectable and discreet burgesses of the borough, to assist, aid and advise the bailiffs." The Inferior Burgesses, who are distinguished in the charter as a select body of "honest burgesses," form a reserve for supplying vacancies in the governing body. The Freemen have no voice in the election of their municipal officers, nor have they any collective functions or privileges. The Reform Act has deprived them of that electoral right, which gave to the corporation its present character.

This is the Constitution established by the charters. Its Defects are seen in the existence of a corporation, from which, with the exception of five individuals, the whole local community are excluded.

The municipal rights and privileges, originally conferred on that community, have been held for many years past by tenure of corporate service to some member of the council, known as the Patron of the borough.

Twice within the last 22 years has the Corporate Body been changed. On both occasions there were numerous resignations of their offices and franchise; a new batch of honorary freemen

freemen was created; the new freemen were distributed through the vacant offices; and the Patron, with his confidential friends and dependents, occupied the council. In this way the municipal government of the borough was transferred to a body of strangers, and a new political dynasty was established.

The secret means resorted to in effecting these municipal revolutions have been disclosed by the admissions of those who were formerly members of the corporation, and who have been familiar with the internal working of its constitution. Freemen have not only been allowed, but invited and bribed by the municipal authorities to disqualify themselves as voters by the sale of their franchise. Upon one occasion a member of the select body of burgesses was sent round to buy out the poorer freemen, and the person by whom he was sent round, he says, was a leading member of the council. He had himself been chosen a member of the select body "because they could rely upon him," and at the bidding of the patron he afterwards resigned his office, and was disfranchised.

The Offices, as well as the franchise of the borough, were bought and sold, and each had its price, varying with its corporate rank and importance. From the instances adduced, it appears that the freedom of a common burgess was valued at 20*l.* The price of an "honest burgess," one of the select body, was 35*l.*; and one of "the most respectable, honest and discreet burgesses," holding a place in the council, valued his office and influence at a Chancellor's living of 100*l.* a year.

This clergyman was removed, but not until he had joined a party of the inhabitants in opposition to the ruling interest, when, after an interval of more than five years, he was brought to trial before the council, and the judges who pronounced him guilty, and voted for his removal, were the offended Patron himself, his political friends and nominees. In justification of his own proposal to resign on such conditions, he pleads "the habits of the borough, which had for many years accustomed its members to these offices of patronage;" and he refers to the will of a former patron, who bequeathed his property "to maintain and keep his family interest in the borough," making a special provision for the general expenses and annuities which he was "bound in *honour*, or otherwise, to pay." A private letter, he complains, was made "a pretence for removing him from his office only a few months before; with one or two exceptions, all the council resigned their offices into the hands of persons till that moment perfect strangers to the borough.—What their motives could be for so simultaneous a resignation, he observes, is of course only matter of opinion." The town clerk says that it was "a matter of *honour*."

This removal of a capital burgess, followed by the resignations of those who removed him, was preparatory to a transfer of the borough, which took place in 1812. The next transfer was in 1825, when a Member of the House of Peers was substituted for a Member of the House of Commons, and the Marquis of Hertford became the Patron. It was not by him that the present system was introduced. He found it established, and converted it to his own use. Under his patronage the existing corporate body has been formed, and a review of the individuals who compose it, so far as they are known in the borough, will show its municipal character and local utility.

The nominal heads of the corporation are, the collector of customs in the port and a surgeon residing at Orford—a borough which enjoys the same patronage, and where corporate privileges are held by a similar tenure.* These are the bailiffs and chief magistrates of the town.

The other members of the council, chosen "to assist, aid and advise the bailiffs," are the noble Marquis himself—two members of his family—his solicitor—his superintendent of estates at Orford—his former steward—the Right hon. J. Wilson Croker—a gentleman of whom no further account could be given by the town clerk than that his name was Meynell, and that he was generally called Captain—a gentleman residing at Orford—and the chamberlain of the corporation. The two last are assistant magistrates.

Of the select body of inferior burgesses, one half are only known by name in the borough; the other half, known by their occupations or dwellings, are, the mayor of Orford, a clergyman and two gentlemen of the county, two gentlemen of London and two attornies.

The number of the freemen is now reduced to 33, and of these only four are inhabitants of the town.

One of the chief magistrates resides in the vicinity, but neither of them within the liberties of the borough. Of the two assistant magistrates, one is non-resident; the other members of the council are all non-resident; the 16 inferior burgesses are all non-resident; the town clerk is non-resident; and out of the 33 freemen, 29 are non-resident.

This is the existing Corporation.

The powers conferred on the council "for the good rule and government of the borough, and of all the burgesses and inhabitants," so far from being exercised for the benefit of the inhabitants, have been made instrumental in excluding them from the chartered rights of their town. To render the will of the Patron the only title to the franchise and its electoral privileges, has been the single purpose which has directed the exercise of these powers, and the working of the constitution. The last law restricting the admission of apprentices who have a legal title to the freedom, coupled with the practice of buying off the master, was one of the means employed in pursuance of this object, and in separating the corporation from the community.

Any advantages the latter might derive from a local jurisdiction have been lost by the neglect of the former. The civil court has been disused for more than a century, and no sessions

* *See* Report on the Borough of Orford.

ALDEBURGH.

sessions have now been held for 12 years. The borough gaol is a single cell under the town hall.

From the town lands the town derives little or no benefit. The revenues arising from those lands are held in trust "for the support, ordering and well governing of this corporation;" and as that "support" is independent of the inhabitants, and "the ordering and well governing" of a body of non-residents is a matter in which the residents are little concerned, the trustees it seems do not consider it necessary to apply the revenues to municipal purposes. A few officers are salaried out of this fund. Their services would hardly be missed by the inhabitants.

The active municipal functions appear to be now centered in one individual. He is the one resident member of the council—an assistant magistrate—treasurer of the corporation—trustee of the town marshes—receiver appointed by the trustees—and in addition to these offices in Aldeburgh, he holds another office in the borough of Orford.

His qualification for these various offices does not appear to be derived from his property in the borough, which is assessed at 4*l.* 10*s.* a year. Through each change of patron and politics, he alone has retained his place in the council. He is one of those who joined in the verdict of guilty against an official colleague for corruptly offering to resign a corporate office. During the municipal inquiry, he was himself pointed out by a disfranchised freeman, in the presence of the inhabitants assembled at the Town-hall, as the individual from whom he received 20*l.* to resign his freedom.

This is the resident functionary who has been selected under the charter as the "most respectable, discreet and honest burgess," to administer criminal justice in the borough, and to act as the local representative of its absentee corporation.

The existing state of this corporation, and the defects in its constitution, as they appear in its actual working, may be summed up thus:—The chartered rights of the borough have been transferred to strangers; the municipal council is no longer the guardian of local interests; the municipal offices are filled with absentees; the local jurisdiction is neglected; the town revenues are not applied to objects of local utility.

The corporation therefore, as a municipal body, no longer answers the end of its institution.

IX. DOCUMENTS.

The Documents which accompany my Report are—

1. A translation of the governing charter.
2. A copy of the chamberlain's account for the year 1832–3.

John Buckle.

23

REPORT

ON

THE BOROUGH OF BEDFORD,

(BEDFORDSHIRE.)

CONTENTS.

	Page
I. Limits, Extent and Population	2103
II. Incorporation and Charters	2103
2 Hen. 2.	2103
1 Ric. 1.	2103
19 Ric. 2.	2103
2 Hen. 4.	2104
2 Hen. 6.	2104
2 Edw. 4.	2104
10 Hen. 7.	2104
19 Hen. 7.	2104
1 Hen. 8.	2105
1 Mary	2105
1 Eliz.	2105
3 James 1.	2105
16 Charles 2.	2105
III. Corporate Body and its Constitution	2105
Title	2105
Enumeration of Officers Burgesses, and Freemen	2105
1. Officers composing the Council	2105
Mayor	2105
Aldermen	2106
Bailiffs	2106
Court of Aldermen	2106
Common Councilmen	2106
Recorder	2106
Deputy Recorder	2107
2. The Common Council	2107
3. Officers solely Ministerial	2107
Town Clerk	2107
Steward of the Courts	2108
Chamberlains	2108
Inferior Officers	2108
Mayor's Serjeant	2108
Bailiffs' Serjeants	2108
Bellman or Crier	2108
Beadle	2108
Hall Keeper	2108
Field Drivers	2108
Bucket Keepers	2108
Ale Tasters	2109
Fish and Flesh Searchers	2109
Wood and Chimney Searchers	2109
4. Burgesses	2109
Creation in 1802	2109
5. Freemen	2110
Title to Admission	2110
Fees on Admission	2110
Collective Functions and Privileges	2110
Personal Exemptions and Privileges	2110
Creation of Freemen for political purposes	2110
Creation of 500 in the interest of Sir R. Barnard, afterwards Recorder	2110
Debt to Sir R. Barnard, incurred by the Corporation	2111
Transfer of this Debt	2111
Connexion between the Debt and the Representation of the Borough	2111
Creation of Freemen in the interest of the late Duke of Bedford	2111
Average number of Admissions	2112
Limited extent of the Franchise	2112
IV. Jurisdiction	2113
Courts: 1. Sessions, General	2113
Juries	2114
Borough Rate	2115
Petty	2115
2. Of Pleas	2115
3. Leet	2116
Police	2116
Gaol	2116
Licenses	2116
Poor	2116
V. Patronage	2116
Bedford Charity	2117
VI. Property	2118
Lands and Houses	2118
Tolls	2119
Haggable, or Quit-rents	2120
Stock in Funds	2120
Fees and Fines	2120
Revenue	2120
Expenditure	2121
Hawes's Charity	2121
Salaries	2121
Repairs	2121
Entertainments	2121
Donations	2121
Investments	2121
Contingencies	2121
Improvements	2121
Audit	2121
Alienations	2121
VII. State of the Town	2122
Population	2122
Houses	2122
Property	2122
Local Taxation	2122
Local Acts	2123
VIII. Summary and Observations	2123
IX. Documents	2125

BOROUGH OF BEDFORD.

I. LIMITS. Extent and Population.

THE Borough of Bedford is co-extensive with the five parishes of Saint Peter, Saint Paul, Saint Cuthbert, Saint Mary and Saint John. It includes the whole of the town, which lies nearly in the centre, encircled by a broad belt of land; its area is 2,164 statute acres; and it contained, in 1831, a population of 6,959 inhabitants.

II. INCORPORATION AND CHARTERS.

Bedford is a borough by Prescription. The first Charter was granted by Hen. II., who gave and confirmed to the Burgesses of Bedford his Town of Bedford, with its appurtenances, to hold at a fee-farm rent of 40*l.* in silver, to be paid at his exchequer in lieu of all service.

2 Hen. 2.

Richard I., in the first year of his reign, confirmed to the Burgesses all those liberties, customs, laws and acquittances, which they had in the time of King Henry his father; viz. a guild merchant, with all its liberties and customs, in lands, in islands, in pastures, and in all other appurtenances; so that no person, who was not of that guild, should traffic with them in city, borough or town, or in other free places.

1 Ric. 1.

He also granted and confirmed to them, an exemption from toll, pontage, stallage, lastage, passage, assarts, and all other customs throughout England and Normandy, by earth and by water, by sea-beach, by land and by strand; and that they should have all other their customs throughout the whole of England, and their liberties and laws, in common with the citizens of Oxford.

That they might traffic with them in London, and in all other places; and if any doubt or dispute should arise, as to what they ought to do, that they should in such case send their messengers to Oxford, and be bound by what the citizens of Oxford should adjudge.

They were prohibited from pleading without the borough of Bedford, concerning any thing whereof they were challenged; but they were allowed to acquit themselves within the liberties, according to the laws and customs of Oxford; because they, the burgesses of Bedford and the citizens of Oxford, were of one and the same custom, law and liberty.

19 Ric. 2.

In the reign of Ric. II., the Mayor and Burgesses having manfully resisted malefactors in certain counties of England, late insurgent against the King's peace, the King, in consideration of their good demeanour in this resistance, confirmed the charter of Ric. I.; and further granted, that none of the burgesses should plead, or be impleaded, before the King, or his justices or ministers, without their own borough, for any lands or tenements within; nor for any trespasses, agreements or contracts made in the borough, or other things there arising; but that all such pleas summoned or attached before the King, or any of his justices of the bench, or other justices or ministers, should be pleaded and determined within the borough, before the mayor and bailiffs, and not elsewhere, unless those pleas affected the Crown, or the commonalty of the borough.

The Burgesses were not to be put with strangers on any assizes, juries or inquests, which by reason of tenements, or trespasses, or other foreign businesses, should come before the King's justices or other ministers, so long as they should make stay within the borough; and strangers were not to be put with the same burgesses on any assizes, juries or inquests relating either to lands or tenements situate in the borough, or to trespasses, agreements, contracts or other internal business there arising; and concerning any pleas arising within the liberties, they were not to be convicted by strangers, but only by their co-burgesses, unless the matter affected the Crown or the commonalty of the borough.

The Mayor and Bailiffs were empowered to make executions of all recoveries or recognizances made before them, and of damages adjudged before them, in the same manner as the citizens of London; and from that time it was ordered to be written in the chancery of the King, by writs of right patent to the mayor and bailiffs of the borough of Bedford, as it was written to the mayor and sheriffs of London. In all actions touching their tenements, rents and tenures, the burgesses were authorized to plead by that writ of right patent, after making protestation according to the usual form and nature of the writ they might choose.

The clerk of the market was forbidden to interfere in the King's presence within the borough, or to exercise his office for any thing affecting it, unless any one should complain in the presence, that the mayor and bailiffs, in executing the office of the market, were negligent or remiss; and in that case the Chancellor, after causing a survey of that which was the subject of complaint, was to correct and amend any defects, and punish and chastise the mayor and bailiffs; saving to the King all fines and amerciaments of the mayor and bailiffs in this behalf.

The Burgesses throughout the whole of the King's dominions, as well by land as by water, and as well within London as without, were privileged to purchase all manner of merchandize and victuals, both from aliens and natives, and to sell the same without hindrance, in the same way as the citizens of London; and the inhabitants were forbidden to go out to meet merchants and others, either by land or by water, coming towards the borough with

BEDFORD.

with victuals or other merchandize for sale, until such victuals or merchandizes should have come within the borough to the places there ordained, and have been exposed there to sale. The punishment on offenders was to be, forfeiture of the thing bought, and imprisonment. To expose for sale any merchandizes on which custom was due was also forbidden, until the custom had been levied, and this under pain of forfeiture.

All who were not of their guild were prohibited from retailing any wines or merchandize, or any other saleable goods within the town.

The Burgesses were exempted throughout the whole of the realm and dominion, of toll, pairage, murage, pontage, passage, stallage, lastage, keyage, picage, carriage, rivage, anchorage, strandage, chiminage, terrage, and all other such custom; and if any one in all England should take from them toll or other custom of which they ought to be quit, the mayor and burgesses were empowered to distrain at Bedford, and detain the distress until restitution.

They were acquit of giving money for murder within the borough; and none of them was to make duel.

Of pleas pertaining to the Crown, they had leave to acquit themselves, according to the law and custom of London.

The Hustings were to be held only once a week within the borough.

Lastly, the Mayor and Bailiffs were empowered to hold twice a year a View of Frankpledge, and do all things pertaining to that view, and the keeping of the peace.

2 Hen. 4. Henry IV. confirmed these privileges by letters patent made on the 22d of February, in the 2d year of his reign.

2 Hen. 6. Henry VI. with the advice of the lords spiritual and temporal assembled in Parliament, again confirmed them by letters patent made on the 7th November, in the second year of his reign.

Inquisition. temp. Hen. 6. Under the authority of other letters patent made in the same reign, an Inquisition took place in the borough, and from the return made to the council it was found, that the town of Bedford, as granted to the predecessors of the then Mayor, Bailiffs, Burgesses and Commonalty of the town, was charged with 46 *l.* payable annually to the Crown, besides 20 *l.* for tithes, "when they shall happen," and other burthens. "And that the same town had at that time come into such excessive decay and ruin on account of the great burthens and paucity of inhabitants, that the said sum could not be levied, nor the other burthens in the same town supported without causing injuries and extortions to the men inhabiting the town, and to others of the county coming to the same, and to the destruction of the two bailiffs annually elected in the same town; and so the town aforesaid, unless it had been provided by the lord the king with support and relief, would very probably have been destroyed." It also appeared that, since the time when the town was let at fee-farm, no certain rent or farm of monies had been received or levied within it to the use of the orporation, except 25 *l.* 11 *s.* 10½ *d.*, which proceeded from certain tenements specified in a census completed in the 6th and 7th years of King Edward III. after the Conquest; and of these tenements, 100 messuages lately well built and inhabited, were already so wasted and destroyed, that no house or edifice remained except the 100 tofts, containing the soil or ground where those messuages had stood; so that the 14 *l.* 9 *s.* 6½ *d.* arising from them, and forming a part of the 25 *l.* 11 *s.* 10½ *d.* could no longer be levied; and 180 other messuages in the town, another portion of the same tenements contained in the census, though still in some degree existing, were no longer inhabited, but left desolate; so that the issues and profits of the courts, with the tolls and customs of the markets and fairs of the town were then worth, one year with another, only 20 *s.* and 4 *d.*

It further appeared that a new bridge had been erected at a neighbouring town, across the water of the Ouze; and this bridge had become so great a thoroughfare to the other market towns of the county for people who formerly came to Bedford, that the strays and chattels, tolls and customs which were due there to the Mayor and Commonalty had been almost entirely lost; and the greater part of the men inhabiting the town were ready to abandon it, unless some remedy were provided by the King. Under these circumstances, the Burgesses and Commonalty were found unable to pay more than 20 *l.* of their fee-farm rent, "without their final destruction, and the perpetual desolation of their town."

It was therefore granted, by a charter of Henry VI., that the Mayor, Bailiffs, Burgesses and Commonalty should, for the term of 60 years, be acquitted of the remaining 22 *l.* of the fee-farm, and they were accordingly permitted to have such writs from the King as might be necessary for their discharge.

2 Edw. 4. Edward IV. confirmed all the previous charters, by letters patent made on the 20th June, in the second year of his reign.

10 Hen. 7. Henry VII. again confirmed them, by letters patent made on the 23d of January, in the tenth year of his reign.

19 Hen. 7. In the 19th year of the same reign, it was "lamentably intimated" to the King, on behalf of the Mayor, Bailiffs, Burgesses and Commonalty, that for the causes assigned in the previous Inquisition, and on account of other burthens daily falling upon them, "scarcely, and not without the greatest impoverishment of them, could they suffice to the payment of the said 20 *l.* per annum, and that, completed the term of the said 60 years, if the said Bailiffs, Burgesses

Burgesses and Inhabitants must be compelled to the payment of the said entire fee-farm, they would necessarily be obliged to retire from thence, and to leave the said town totally destitute."

He therefore granted to the corporation that they should only be charged with 20 *l.* a year, for the fee-farm of the town. This grant is dated 14 May, A. R. 19.

All these charters were successively confirmed by,—

Henry VIII. on the 16th day of June, in the first year of his reign.	
Queen Mary, on the 1st day of December, in the first year of her reign.	1 Hen. 8.
Queen Elizabeth, on the 8th day of June, in the first year of her reign.	1 Mary.
James I. on the 25th day of May, in the third year of his reign.	1 Eliz.
Charles II. on the 9th day of February, in the sixteenth year of his reign.	3 James 1.

The charter of Charles II. which is referred to as the Governing Charter, after confirming the preceding ones, orders that the Mayor, Bailiffs, Burgesses, Recorder, Town Clerk and all other Officers, ministers and magistrates shall take the oath of supremacy before they enter upon their offices, and that neither the Recorder nor Town Clerk should enter upon his office before he had been approved by the King. 16 Charles 2. 16 Charles 2.

Neither this, nor any other of these charters, fixes the Municipal Constitution of the borough, which must therefore be determined by prescriptive usage.

III. CORPORATE BODY and CONSTITUTION.

The persons incorporated by these charters are called, at different times, the Mayor, Bailiffs, Burgesses and Commonalty; the Mayor, Bailiffs and Burgesses; the Men of the Town; and the Burgesses of the Town.

Their present title is, "The Mayor, Bailiffs, Burgesses and Commonalty of the Town of Bedford." Title.

The Officers mentioned in the Charters are, Enumeration of Officers, Burgesses and Freemen.

- A Mayor.
- Two Bailiffs.
- Recorder.
- Town Clerk.

The other Officers of the Corporation are,

- An indefinite number of Aldermen.
- Deputy Recorder.
- Steward of the Court Leet.
- Two Chamberlains.
- 13 Common Councilmen.
- 1 Serjeant at Mace to the Mayor.
- 2 Serjeants at Mace to the Bailiffs.
- Crier.
- Beadle.
- Hall Keeper.
- 5 Field Drivers.
- 3 Bucket Keepers.
- 2 Ale Tasters.
- 2 Fish and Flesh Searchers.
- 2 Wood and Chimney Searchers.

The number of Burgesses is unlimited; at present there are 40, including those who are officers of the corporation.

The number of Freemen is also unlimited. At the contested parliamentary election of 1830, which was determined by a single vote, the number polled was 160; of which number 61 only were resident. It is therefore supposed that the number of non-residents is about 100. The present number of residents is supposed to be nearly the same. (*See* "Registered Voters".)

1. Officers composing the Ruling Body.

The officers composing the Common Council, which is the ruling body of the borough, are the Mayor, Aldermen, Bailiff, Common Councilmen and Recorder or his deputy.

Mayor.

The Mayor is annually elected by the freemen from two of the burgesses, who are respectively nominated, one by the court of aldermen, which is composed of the mayor, the aldermen and the bailiffs; the other by the common councilmen.

The burgesses nominated must have previously served the offices of bailiff and chamberlain; unless the service has been dispensed with by an order of the council. This dispensing power is by prescription, and is sometimes exercised.

The nomination and election take place at an assembly of the freemen, which is called a Common Hall, and at which 50 or 60 generally attend. The person nominated by the court of aldermen has, since 1816, been invariably elected; and it appears to be understood, both by the nominating and elective bodies, that this is to be the result. The electors who attend receive 1*s.* each for their attendance, and in the chamberlain's account for 1831–2, appears a payment of 1 *l.* 7*s.* to the freemen for "Attending the swearing in the mayor."

The mayor and town clerk, who are opposed to one another in politics, agree in stating that, although the freemen invariably elect the first nominee, no influence is used to gain their votes.

BEDFORD.

This office has frequently been held by the same individual. It is now held by a surgeon residing in the town.

The fine for refusing it is 150*l.*, which has been twice paid within the last few years.

The council claim a power of amotion, but there is no recent instance of its exercise.

As the head of the corporation, the mayor presides at all the corporate meetings; and he is a constituent part, both of the common council and of the court of aldermen, with a casting vote in both. (*See* "Common Council." "Court of Aldermen.")

He is officially named in the commission of the peace for the borough; and in the absence of the recorder and his deputy, he is chairman of the quarter sessions.

He is also judge of the civil court; coroner; returning officer, jointly with the bailiffs; examiner of weights and measures; a commissioner under the Act for the improvement of the town; a director of the House of Industry for the poor; and a trustee of the Bedford Charity, presiding at their meetings in the absence of the recorder, and only voting when the votes are equal.

He has no salary in his first mayoralty, but on serving the office a second time, he has an allowance of 60*l.* His only privilege is the selection of a person as the object of Paradise's charity, who becomes entitled to a coat and a pair of shoes.

Aldermen.

The body of Aldermen is composed of those burgesses who have served the office of mayor, and their number is consequently uncertain; at present, there are 13.

They are members of the common council and of the court of aldermen, but have no separate functions.

Four of the present aldermen are personally appointed justices in a commission of the peace for the borough, but none by virtue of their office; eleven are personally named as commissioners under the Act for improving the town.

This body is now composed of five gentlemen exercising neither profession nor trade, a physician, a surgeon, an attorney, three brewers, a builder, and a bookseller. The only non-resident is a physician, residing at Tunbridge Wells.

They are all supporters of the Bedford interest.

Bailiffs.

The two Bailiffs are annually elected in the same manner as the mayor. Four burgesses are put in nomination; two by the court of aldermen, and the other two by the common councilmen. The freemen then elect from the two nominations; but the persons jointly nominated cannot be severed in the election. The nominees must have previously served the office of chamberlain, unless the service has been dispensed with by an order of the council.

A fine of 20 marks is due for not serving this office, but the fine is not always exacted.

The bailiffs are a constituent part of the common council and of the court of aldermen.

They are also returning officers of the borough jointly with the mayor; and they summon the juries, and perform the ordinary duties of a sheriff within the precincts of the borough.

One of the two is a commissioner, appointed by name, under the Local Improvement Act.

No emoluments are now attached to their office.

A pasture, 25 acres in extent and divided into 25 lots, was formerly held by them rent-free during their own lives, and afterwards by their widows. In 1814, the corporation finding themselves in pecuniary difficulties, which will be explained hereafter, abolished this privilege. Four lots are still held by the widows who had acquired a vested interest; the remaining 21 are now let for 41*l.* a year.

Court of Aldermen.

The mayor, aldermen and bailiffs constitute a court, called the Court of Aldermen.

The power of this court is confined to the nomination of officers and the admission of freemen.

The mayor and two aldermen, or the mayor, one alderman and the bailiffs, form a court for these purposes, in which the mayor has a casting vote.

Common Councilmen.

The thirteen Common Councilmen are annually elected by the freemen out of 26 burgesses, who are nominated by the court of aldermen.

In this nomination, incompetent persons are sometimes joined with those who are preferred by the nominating body; so that the choice of the freemen is virtually controlled. The reason assigned for this proceeding is, the limited number of the burgesses who are eligible; but as that number may be increased at the discretion of the ruling body, the reason is obviously insufficient. (*See* "Burgesses," *infra.*) The election, however, does not appear to interest the electors; and there is no discontent upon the subject. They are entitled to 1*s.* each for their attendance on the occasion, and from the last audited account it appears that the 1*s.* was received by 26 of the freemen.

The same fine is due for not serving this office as for not serving the office of bailiffs, but it is not always exacted.

The common councilmen are a constituent part of the council, and form the court leet. (*See* "Council." "Court Leet.")

Seven of their number are personally named as commissioners under the Improvement Act.

The Recorder is elected for life by the mayor, aldermen, bailiffs and common councilmen. Recorder.

He is a member of the common council, and is supposed to be the legal adviser of the corporation, by himself or his deputy.

He is in the commission of the peace for the borough, and the nominal chairman of the sessions, but never attends.

He is also one of the trustees of the Bedford Charity, and the president of their meetings.

He is an *ex officio* commissioner under the Improvement Act.

The present recorder is the Duke of Bedford, who was elected on the 19th of March 1802.

The Duke is said to have acted as a commissioner under the improvement Act, but has never exercised in person the other functions of his office. His predecessor was Francis, late Duke of Bedford, elected in 1789, who succeeded Sir Robert Barnard.

This office has long been held by the Patrons of the borough; and the character of their influence in the corporation will appear in the progress of the Report.—(*See* "Burgesses." "Freemen.")

The Deputy Recorder is appointed by the recorder, and is removable by him. Deputy Recorder.

He is the representative of the recorder, both in the common council and at the borough sessions.

The present deputy is William Russell, Esq., a barrister residing in London, and a nephew of the recorder. This gentleman is named in the commission of the peace for the borough, though not by virtue of his office. He has seldom attended the sessions; but a communication on the subject has been made to him by the present mayor, and it is expected that in future his attendance will be regular.*

His two predecessors in this office were the recorder's solicitors.

The Common Council is assembled by summons from the mayor. It is not considered necessary that a majority of the several constituent parts should be present, nor even a simple majority. About half the members usually attend. The minimum number has been the mayor two aldermen, and three common councilmen. All have equal votes, and the mayor a casting vote. 2. The Common Council or Ruling Body.

As an electoral body, they choose the recorder, the steward of the courts, and some of the inferior officers. Their nominations for the mayoralty, and other offices in their own body, have been stated.

They claim, as incident to the council of a corporation aggregate, the power of removing these officers; but there is no modern instance of removal.

They have an unlimited power in creating both burgesses and freemen. It is only necessary that notice should be given at a preceding meeting of the council.

In addition to their municipal functions, as the ruling body of the borough, and the control they exercise in that character over the corporate revenues and expenditure, they are trustees of the Bedford Charity, and in that capacity have large funds under their control.

The last and only modern exercise of their power to make Bye-Laws was in 1806, when they increased the fine for refusing to serve the office of mayor.

The conduct of the council, past and present, in the exercise of its several powers, will be seen under the subsequent heads of "Burgesses, Freemen, Property, Audit, and Patronage." Its political character may be collected from that of its constituent parts. The Mayor, the Aldermen, the Bailiffs, and nine of the thirteen Common Councilmen, are all of the same party. There are consequently only four political opponents in the council.

The other corporate officers are solely ministerial. 3. Officers solely ministerial.

16. The Town Clerk is elected from the burgesses, by the freemen, assembled at a common hall. He is elected for life, and removable by the common council. The present town clerk is a member of the council, and, like his predecessor, is a political opponent of the recorder and the council. Town Clerk.

His only duty is, to attend the corporate meetings, and record their proceedings.

His salary is 10 *l.* per annum, with an ancient allowance of 2 *l.* 10 *s.* for copying the chamberlain's account. His fees are—

	s.	*d.*
On the admission of a burgess - - - - - -	7	8
On the enrollment of apprenticeship indentures - - -	2	6
On affixing the corporation seal - - - - - -	6	8

He

* He has resigned the office since the close of our inquiry. His successor is Edward Maltby, esq. a barrister.

BEDFORD.

He also receives a fee from the candidates at the parliamentary elections. The amount of this fee depends on the duration of the poll; if there is no contest, it is 10 guineas from each candidate. Out of this perquisite he defrays the expense of the return.

This office has frequently been held by unprofessional persons; but the present town clerk is an attorney of the superior courts; and, jointly with his father, is the solicitor of the corporation, though not by virtue of his office.

The amount of his bill, in the chamberlain's account for the year 1831–2, was 11*l.* 19*s.* 4*d.*

The law expenses in the two former years were 18*l.* 15*s.* 3*d.* and 119*l.* 6*s.* 11*d.* respectively.

Steward of the Courts.

The Steward of the Courts is elected for life by the common council, and is removable by them. Burgesses alone are eligible to the office, and it is usually held by the town clerk.

The steward of the courts formerly attended the Court of Pleas, recorded its proceedings, and received the fees. The office is now nominal.

Chamberlains.

The Chamberlains are annually nominated and elected in the same manner as the bailiffs. The same persons are generally re-elected, and sometimes members of the council.

The same fine is payable for refusing to serve this office, as for refusing to serve that of bailiff.

The chamberlains are the stewards and treasurers of the corporation, and their accounts are audited by the common council.—(*See* "Expenditure." "Audit.")—They are also trustees of the Bedford Charity

An allowance of 10*l.* is made to them jointly for their services.

One of the present chamberlains is a political opponent of the court by which he is nominated; but he has occasionally voted with the court.

Inferior Officers.

The following Table shows by whom the inferior officers are appointed, from what body chosen, and the period of their respective offices:—

OFFICERS.	By whom Appointed.	From what Body.	Period of Office.
Mayor's Serjeant	The Mayor	Freemen	During the office of the Mayor appointing him, and removable by the Mayor.
Two Bailiffs' Serjeants	Bailiffs	same	During the office of the Bailiffs appointing him, and removable by them.
Bellman, or Crier	The Common Council.	same	A year, but usually continued, and removable by the Council.
Beadle	same	same	same.
Hall Keeper	same	same	For life, removable by the Council.
Five Field Drivers	The Court Leet	Inhabitants having a settlement in the town.	One year, removable by the Court Leet.
Three Bucket Keepers	same	Freemen	same.
Two Ale Tasters	same	same	same.
Two Fish and Flesh Searchers.	same	same	same.
Two Wood and Chimney Searchers.	same	same	same.

Mayor's Serjeant.

The duty of the Mayor's Serjeant is to summon the corporate courts and meetings; proclaim the quarter sessions; and generally to execute the official orders of the mayor. He is sworn in as a constable, and is considered and acts as chief constable of the borough.

His salary and allowance amount to about 20*l.* As chief constable, and peace officer of the town, he receives, from the town rate, a remuneration for any services performed in that capacity.

Bailiffs' Serjeants.

The Bailiffs' Serjeants execute the precepts of the bailiffs in summoning juries, and all other orders of the bailiffs for corporate purposes. They are the officers appointed by the constitution to execute process issuing from the Court of Pleas; but these functions are now obsolete.

They receive clothing, or an allowance of 10*l.*

Bellman or Crier.

The Crier performs the ordinary duties of the office. He is annually sworn in as a constable.

His salary and allowances amount to about 7*l.*, besides other emoluments arising from the nature of his office, and depending upon the extent of his employment.

The Beadle is a peace officer, and his salary and allowance are about 7*l.* Beadle.

The duties of the Hall-keeper are to attend the hall, and prepare it for corporate meetings. Hall-Keeper.

His salary and allowances are about 5*l.*, exclusive of extra attendances, for which he is paid out of the town rate.

The Field Drivers perform the duties of a hayward, and receive fees, commonly called pound-shot, for cattle. Field-Drivers.

The duties of the Bucket-keepers were formerly to see that every freeman was provided with a bucket; but the office has become obsolete, or nearly so. Bucket Keepers.

They still receive small fees on the admission of freemen.

The original functions of the Ale Tasters, Fish and Flesh Searchers, Wood and Chimney Searchers, are pointed out by their names. They receive no salary. Ale Tasters, &c.

The office of Burgess is both hereditary and elective. 4. Burgesses.

Every son of a burgess, born after his father's admission, is entitled to be admitted a freeman, and by such admission becomes a burgess.

Honorary burgesses are created by the common council, without any restriction either as to number or qualification; only notice must be given at a previous meeting of the council. In practice, however, the number is now limited to about 40, which is the number supposed to be necessary for the purpose of filling the municipal offices.

The fees on admission by birth amount to 2*l.* 10*s.*, including the stamp. There is a payment of 14*s.* 8*d.* to the corporation fund; 7*s.* 8*d.* to the town clerk; and other small fees to the inferior officers.

On admission by gift, the latter fees are higher.

The burgesses are sworn before the Court of Aldermen, and they are still required to promise, in their Burgess Oath, that they "will utterly forsake and eschew for ever the usurped power and unlawful jurisdiction of the bishop of Rome, here most justly abolished."

Besides obedience to the town authorities, they promise to assist in the apprehension and attachment of traitors, and other offenders, and in bringing them to justice, "for the reformation of such their misdemeanors."

The burgesses alone are eligible to a place in the council, and all the superior officers must be chosen from them. The character of the ruling body must therefore depend very much on the persons who compose this class.

At the beginning of the present century, the corporation experienced a difficulty in finding proper persons to fill its municipal offices. Creation of Burgesses in 1802.

In 1802, a burgess, who had been elected mayor, refused to serve, because the council was composed of persons with whom he thought it below him to associate; and he stated this reason for refusing to the late Duke of Bedford, then recorder. In the same year the present Duke succeeded his brother, and soon after his election he addressed letters to several resident gentlemen, in which, after stating his wish to conciliate the differences existing between the corporation and town of Bedford, and that the corporation had acceded to a proposal he had submitted to them, for the admission into their body of a certain number of the most respectable inhabitants of the town, he expressed a hope that the individuals addressed would acquiesce in his wish, by accepting the office of burgess.

This invitation was accepted, and 12 of the most respectable inhabitants, of different political opinions, were admitted as burgesses. Of this number, one-half were known political opponents of the recorder. In the following year they were elected into corporate offices, without distinction of parties or opinions. From that time to the present, so many burgesses only have been created as have been required for filling up vacant offices.

Of late years the burgess-ship has been frequently offered to respectable persons living in the town, and declined. No causes were assigned for declining; but it is supposed that, on the part of some, there is an indisposition to undertake municipal duties, with their incidental expense in the case of the mayoralty; and on the part of others, an indisposition to co-operate with political opponents.

The town clerk states that, before the repeal of the Test Act, the leading inhabitants had, with few exceptions, been either admitted or invited among the burgesses. Dissenters were then considered inadmissible. Since the repeal, two Dissenters have been proposed: one was elected; the other declined. As a body, however, they are still considered less eligible than Churchmen by many members of the corporation, holding opposite political opinions.

BEDFORD.

The reason assigned for the distinction is, the connexion between the corporation and the church. At present the election or rejection of a Dissenter would depend on the persons who happened to attend when the individual was proposed.

5. FREEMEN.

The Freemen are created by birth, apprenticeship, purchase and gift.

Title to Admission.

The son first born, after his father's admission, is entitled to his freedom at the age of 21. His title is ascertained by a burgess jury, which is assembled twice a year.

An Apprenticeship for seven years with a freeman, resident or non-resident, followed by an actual and faithful service for the same period, entitles the apprentice to admission. It is necessary, however, that the indentures should be enrolled by the town clerk within one year after execution; and it is the duty of the master to see the certificate of enrollment indorsed on the indenture; an assignment to another master is not allowed. The title to admission is in this case also examined by a burgess jury, who require the production either of the indenture with the enrollment indorsed, or of the town clerk's register.

It is evident that by the negligence of the master and town clerk, an apprentice may be deprived of his freedom; and a complaint was made to us on the subject by a person who stated that such had many years ago been the case.

The Purchase of the freedom has been regulated by successive bye-laws, and various sums fixed as the purchase money; the highest sum was 20*l.*

It is now nearly 20 years since any application has been made for admission in this way.

Honorary Freemen are created by the council without any restriction as to residence, service, number or property. The use made of this discretionary power will be fully shown in the sequel.

All admissions take place at the court of aldermen, when the same oath is administered which is taken by a burgess.

Fees on Admission.

The Fees on admission are also the same as those paid by a burgess, except that in the latter case the serjeant's fees are double.

Collective Functions and Privileges of Freemen.

The Privileges of the freemen as electors of the superior corporate officers, and their exclusive eligibility for the inferior offices, have been already enumerated. To recapitulate, they choose the mayor, the bailiffs, common councilmen, and chamberlain, from nominations in the manner before described, and the town clerk without any previous nomination. The inferior officers, with the exception of the field drivers, are exclusively chosen from their own body.

The elections take place at the common hall, where no contest has occurred during the last 40 years. This remarkable harmony between the council and the freemen is attributed, by the town clerk to the confidence felt in those who compose the council. No charge of corruption was brought by their opponents.

The unanimity, however, which still prevails at the municipal elections, no longer extends to the Parliamentary elections.

Personal Exemptions and Privileges.

The Personal Exemptions and Privileges annexed to the franchise are,

Exemption from corporate tolls throughout the kingdom.

Exemption from serving on juries out of the borough—a privilege shared with all other inhabitants.

An exclusive right of trading within the town—now obsolete.

A right of common over about 18 acres of land within the precincts of the borough. This right is confined to the resident freemen, and is subject to the payment of a small annual sum, varying with the state of the fund appropriated to the common; the sum fixed at present is 10*s.*, and the stint is, one head of neat cattle, or a horse. All the money raised by these contributions is expended on the drainage and fencing of the land, the payment of rates and taxes. The common is in this way made to pay its own expenses, and the contribution rises or falls with the amount of those expenses. The mayor keeps the account, which is audited with the other corporation accounts.

Creation of Freemen for political purposes.

The unlimited power of creating freemen is obviously liable to great abuse; we have traced the exercise of this power during a considerable part of the last century.

In 1738 about 50 non-residents were elected.

In 1740 again, a considerable number of non-residents was elected.

In 1747 about 100 were admitted, principally non-residents.

In the following year the same number were admitted, who were all non-residents.

Again, in the following year, about 35 were admitted.

After this, the same process went on from year to year, till 1761. The average number of admissions during this period was about 50 a year.

In 1767, between 70 and 80 more were admitted, and this was the prelude to a great creation which took place two years afterwards.

Creation of 500, in the interest of Sir R. Barnard, afterwards elected Recorder.

In 1769, no less than 500 were created in the interest of Sir Robert Barnard, afterwards recorder of the borough.

These numbers had now reached their maximum point, but the admissions still went on.

In

In the following year there was an addition of about 50.
In 1773, three years afterwards, the same addition was made.
In each of the two following years the same.
In 1779 the same.
In the following year the same.
In 1786 the same, and again in 1787.

Two years afterwards Sir Robert Barnard ceased to be recorder, and was succeeded by the late Duke of Bedford.

During the three following years, 1789, 1790, 1791, about 350 new freemen were created, in the interest of the new recorder.

These creations have been traced back to the year 1738; beyond that time no list is preserved; they have been brought down to the year 1791, when they ceased. Since that year at least there has been no creation of any extent.

The following account of the 500 admitted in 1769 is given by one of the present aldermen, who remembers the transaction. The new freemen, he says, came from Huntingdonshire, and were the tenants and neighbours of Sir Robert Barnard. They were called at that time "Guinea-pigs," perhaps because they received a guinea each. The object of their admission was to support the political interests of Sir Robert.

Debt to Sir R. Barnard, incurred by the Corporation.

The pecuniary obligations subsequently incurred by the corporation to this individual, who became their Recorder and the Patron of the borough, will appear from the following facts.

In 1780 they had a debt of 300*l.* secured by a mortgage of their property, and in order to pay it off, they made an application to their recorder for a loan; he advanced the 300*l.*, and an additional 650*l.*, making together a new debt of 950*l.* The old debt was paid off, and the mortgage security assigned to Sir Robert Barnard. No interest was paid on the 950*l.* during the life of the mortgagee. After his death, the following receipt, dated in 1789, was endorsed on the mortgage indenture, and signed by his executors.

Transfer of this Debt.

"Received, the 27th day of June 1789, of the corporation of the town of Bedford, viz., the mayor, bailiffs, burgesses and commonalty of the said town of Bedford, by the hands of William Colhoun, esquire, the sum of 1,274*l.*, being in full discharge and satisfaction for the principal money and interest due this day on the within mentioned indenture of mortgage, to the estate of the within named Sir Robert Barnard. We say received the same as executors of the late Sir Robert Barnard by us."

The corporation of the town of Bedford paid nothing on this occasion, nor do their books notice the transaction.

Ten years after the date of the receipt a deed poll was executed by Mr. Colhoun, declaring the mortgage indenture to be deposited with a Mr. Monkhouse as a security; still no interest was paid. In 1803 the debt, with the accruing interest during the whole period, was claimed for the first time, and the claim was soon followed by a threat of proceedings in chancery.

The town clerk was instructed by the council to consult the deputy recorder, "it having been understood by several members of the corporation that the security was of no value." What the opinion of the deputy recorder may have been does not appear. The suit proceeded, and by a decree of the Court of Chancery, the corporation were ordered to pay the principal and interest.

Connexion between the Debt and the Representation of the Borough.

This money it appears was first applied for in 1803. Till the previous year, Mr. Colhoun, the assignee of the mortgage, had been returned for the borough on the corporation interest. As long as he continued their representative, the money was not asked for; but the year after he ceased to be so, the principal and interest were both claimed. Sir Robert Barnard, the recorder and mortgagee, had previously been returned for the borough on the same interest. While he continued member, the money had never been asked for, nor was any interest paid; but when he resigned his corporate interest, he received from Mr. Colhoun the sum left in the hands of the corporation, with all the interest in arrear. The receipt was given by his executors as if the money had been paid back by the corporation, but with this payment they had nothing to do. The debt and the parliamentary interest, it appears, were transferred together.

Creation of Freemen, in the interest of the late Duke of Bedford.

It has been stated that when the Duke of Bedford was elected as the successor of Sir Robert Barnard, a large batch of freemen was created in his interest. This act of the corporation is thus represented by a political opponent.

"The late Duke of Bedford, finding that he had not sufficient influence to dragoon us, resolved to create a fresh body of freemen, to the number of at least 150; these persons constituting a body of men consisting of his own tenants and tradesmen, and the tenants and tradesmen of other persons attached to him in politics. Some persons have offered to lend an apology for his Grace's conduct upon this occasion, stating that the object of the noble Duke was, not to crupper and control the town, but to raise a good body of men, to

BEDFORD.

act as a counterpoise to those out-voters (elected at a prior period) who had poured into this borough in 1790, much to the detriment of honest independence, and much to the injury of the free voice of the people of Bedford. On looking at the old poll book for 1790, I find that his Grace's favourite candidate polled more out-voters than the then candidate of the people; what then will be inferred from this? Simply, that the late Duke of Bedford, the pretended friend of liberty, was not anxious to rest on the kind affections and attachments of the men of Bedford, but to establish such a foreign force as would annihilate their political rights for ever."

The candidate who is here called "his Grace's favourite candidate," was Mr. Colhoun.

The fact that many of the Recorder's tenants and tradesmen were admitted to the freedom of the town, is thus explained on the other side.

"We know that some of the then agents of the late Duke of Bedford were ardent politicians, and most active whigs. One of these gentlemen resided at Bedford, another had extensive connexions in the town, and Mr. Colhoun being a whig, they were among the most zealous of his and the corporation's party. They naturally had recourse, in forwarding his views, to those with whom, from other circumstances, they possessed weight and influence, and this led to so many of his Grace's tenants and tradesmen becoming freemen of the town. But surely his Grace ought not to be held responsible for the acts of his tenants and tradesmen, unless he is to be arraigned, not for controlling, but for allowing too great a liberty to those connected with him. It may be admitted, and it is the only admission we have to offer, that it is possible that he was aware of many of them being made freemen of Bedford, and that he did not interfere to prevent it. Why should he, more especially as his Grace took no interest in political affairs, either local or general, at that time. But to conclude, from his not preventing it, that he interposed to make them freemen, is nothing less than an absurdity." "But what, if Francis, Duke of Bedford, when little more than 21, had countenanced a practice which was then thought fair in political warfare: is his memory, for that, to be charged with the reproach of tyranny? Transactions like these were not viewed with the same abhorrence forty years ago, that they, very properly, now are. Great changes have taken place since then, in the mode of thinking and acting, both in public bodies and private individuals."

This creation of freemen in 1791 was the last instance in this borough of "a practice which was then thought fair in political warfare;" since then the franchise has, with very few exceptions, been conferred on those only who had a legal title, or who were willing and competent to undertake the municipal offices of the borough.

Average number of Admissions.

During the last 18 years the average number of admissions, by birth and servitude, have been 4 $\frac{5}{9}$ a year. In 1830, after a severe election contest, 17 were admitted under one or other of these titles. This was the first contest in the borough since 1790.

Limited extent of the Franchise.

The relation in which the present body of resident freemen, including the members of the council, stand to the Inhabitants of the borough, in point of number, property and local taxation, may be collected from the following summary of statistical facts.

Numbers.—In a population of 6,959 inhabitants, and containing 3,202 males, there are about 100 resident freemen.

Property.—The gross amount of rateable property in the borough, according to the parochial valuations, is 9,140*l.* Of this amount, the portion belonging to the freemen is 1,920*l.*; while that belonging to the other inhabitants is 7,220*l.*

Taxation.—Their respective shares of the local burdens are nearly in the same proportion.

The amount of the last poor rate levied was 457*l.* 15*s.* 5*d.* The amount contributed by the whole body of freemen was 96*l.* 9*s.* 2*d.*

The sums raised by parochial assessment during the present year were as follows:—

	£.	s.	d.
Saint Paul's	1,821	12	–
Saint Mary's	543	12	–
Saint Peter's	311	8	–
Saint Cuthbert's	231	–	–
Saint John's	136	4	–
	£. 3,043	16	–

Adopting the proportion already stated in the case of a single rate, and rejecting fractions, the annual assessment of the whole corporate body would be about 652*l.*; while the assessment of the other inhabitants is 2,391*l.* 16*s.*

The paving rate for the year was 331*l.* 12*s.* 8*d.* The amount paid by the freemen, 47*l.* 19*s.* 4*d.*

The assessed taxes levied in the borough, according to the last Return, amounted to 1,746*l.* 3*s.* 6*d.*; of this amount, 424*l.* 14*s.* 9*d.* were paid by the freemen.

The land tax was 659*l.* 11*s.* 1*d.*, and the freemen paid 200*l.* 10*s.* 8*d.*

The

The proportion therefore of annual local burdens, borne by the freemen of the borough, may be stated thus:—

RATES AND TAXES.		GROSS AMOUNT levied in the Borough.	AMOUNT paid by Freemen.
		£. s. d.	£. s. d.
Rates	Poor	3,043 16 –	652 – –
	Paving	331 12 8	47 19 4
	Highway	333 8 –	67 15 –
Taxes	Assessed	1,746 3 6	424 14 9
	Land	659 11 1	200 10 8
	£.	6,114 11 3	1,392 19 9

The result of this comparison is, that the freemen constitute about one thirty-second part of the male population; that their rateable property in the borough is rather more than one-fifth of the whole; and that their share of the local taxation is nearly in the same proportion.

The number retaining their right to vote under the Reform Act is now reduced to 97; comparing them with the new constituency of the borough they stand thus:

VOTERS REGISTERED.	1832.	1833.
Freemen	597	97
Householders not Freemen	896	736
Voters registered in respect of more than one qualification	79	402
Total Constituency	1,572	1,235

It will be observed, that while the number of freemen registered in 1832 was 597, the number registered in the following year was 500 less. The cause of this difference is explained by the town clerk in the following manner. The corporation books contain the names of a large body of freemen, some with their residences affixed and many without. Having no means of ascertaining either who were living, or who were within the distance prescribed by the Reform Act, he thought it better, in pursuance of the Act (sec. 46.) to publish the list of freemen as he found it, not choosing to take upon himself the responsibility of selection, but leaving the objectionable names to be struck out on the revision. It happened, that the whole of the notices given on one side were defective from some informality, and the revising barrister determined that he had no authority to alter the list, where the notices had failed; the consequence was, that a great number remained upon the list who would otherwise have been struck out. This was remedied in the register of the following year.

Of the 597 freemen registered in 1832, only 68 would have been entitled to vote as householders. Of those registered in 1833, only 71 are qualified as householders.

IV. JURISDICTION.

The Corporation exercise no Criminal Jurisdiction, and their Civil Jurisdiction is obsolete.

There is a distinct Commission of the Peace for the borough, and seven members of the corporation have qualified under the commission.

Local Courts.

The Local Courts are—

1. A Court of Quarter Sessions.
2. A Court of Pleas.
3. A Court Leet.

1. Sessions.

A Court of Quarter Sessions is regularly held, at the periods fixed by statute, and takes cognizance of all offences, with the exception of capital crimes.

The recorder is the nominal chairman of the sessions, but he never attends. When the deputy recorder attends he presides, and in his absence the mayor presides, assisted by the other magistrates residing in the town, who are all members of the corporation. (*See* "Deputy Recorder," *supra.*)

The county magistrates have a concurrent jurisdiction, but they have seldom acted, and never at the borough sessions.

BEDFORD.

Juries.

The Juries are empannelled and summoned by the bailiffs from the gentlemen and tradesmen of the town. A list is kept of all those who have served as jurors, and the names of persons coming to reside in the town are added to this list.

There is no charge of partiality in the selection of juries.

Some disturbances of a political nature took place in the town during the progress of the Reform Bill, which became the subject of indictment, but the bills were preferred at the county sessions.

Criminal Business of the Sessions.

The borough sessions sometimes pass over without any prosecution. During the present year there have been nine, followed by six convictions, and three acquittals. The following table shows the number of commitments for felony and misdemeanor during the years 1830, 1831, 1832; the number of prisoners convicted, acquitted and discharged; and the number transported.

	YEARS.	Number of Persons Committed for Trial for Felony.	Number Convicted.	Number Acquitted.	Number Discharged for Want of Prosecution.	Number against whom no Bill was found.	Number Transported.
FELONIES	1831.	6	5	1	–	–	–
	1832.	3	2	1	–	–	–
	1833.	9	6	3	–	–	–
MISDEMEANORS. Not Assaults.	1831.	1	1	–	–	–	–
	1832.	5	5	–	–	–	–
	1833.	–	–	–	–	–	–
MISDEMEANORS. Assaults.	1831.	4	4	–	–	–	–
	1832.	1	1	–	–	–	–
	1833.	–	–	–	–	–	–

The Punishments inflicted by the Borough Magistrates during the same three years have been as follows:—

	1831.	1832.	1833.
Transportation:			
for life	–	–	1
7 years	–	–	1
Imprisonment and Hard Labour:			
for 12 months	1	–	–
6 months	–	1	–
5 months	–	–	1
4 months	1	1	2
3 months	4	–	–
2 months	2	1	–
1 month	2	1	–
14 days	–	5	–
Private whipping	–	1	–

Prisoners have been sentenced to transportation in the absence of the deputy recorder, and when no lawyer was on the bench.

No appeals are heard by the town magistrates.

The costs of prosecution are regulated by a table.

The

BEDFORD. Costs and Expenses allowed.

The Expenses allowed in the same three years were as follows:—

YEARS.	SESSIONS.	QUARTERLY. £. s. d.	YEARLY. £. s. d.
1831 - -	Epiphany - - -	23 6 8	
	Easter - - - -	—	
	Midsummer - - -	—	
	Michaelmas - - -	4 10 4	
			27 17 –
1832 - -	Epiphany - - -	14 9 4	
	Easter - - - -	—	
	Midsummer - - -	—	
	Michaelmas - - -	—	
			14 9 4
1833 - -	Epiphany - - -	—	
	Easter - - - -	6 8 6	
	Midsummer - - -	5 – –	
	Michaelmas - - -	33 9 2	
			44 17 8
		£.	87 4 –

These expenses therefore, on an average of three years, amount to 29*l.* 1*s.* 4*d.* a year.

Borough Rate.

A Borough Rate is imposed by the magistrates at sessions. It varies from 3*d.* to 1*s.* in the pound; and the five parishes are rated in the following proportions:—

——	3*d.* in the £.	6*d.* in the £.	9*d.* in the £.	1*s.* in the £.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.
St. Paul - -	52 8 3	104 16 6	157 4 9	209 13 –
St. Mary - -	22 3 – ½	44 6 1	66 9 1½	88 12 2
St. John' - -	4 17 8¼	9 15 4½	14 13 – ¾	19 10 9
St. Peter - -	17 12 11¼	35 5 10½	52 18 9¾	70 11 9
St. Cuthbert - -	11 – –	22 – –	33 – –	44 – –
£.	108 1 11	216 3 10	324 5 9	432 7 8

The sum raised in the year 1832–3 was 324*l.* 5*s.* 9½*d.*

The total Receipts of the year were—

	£. s. d.
Balance of previous year - - - - - - - - - -	86 – 8
Amount raised - - - - - - - - - -	324 5 9½
Fines for Offences - - - - - - - - - -	8 5 6
Copies of Register and list of Freemen - - - - - -	22 1 –
	£. 440 12 11½

The Expenditure of the same year was as follows:—

	£. s. d.
Constables, for attending sessions, apprehending vagrants, felons, &c.	30 6 –
Maintenance of prisoners in the gaol and new house of correction -	62 14 5
Clerk of Peace for professional charges - - - - - -	29 – 2
Expenses of inquests - - - - - - - - - -	17 1 6
Treasurer, 1 year's salary and incidental expenses - - - - -	10 16 –
Printing, stationery and advertisements - - - - - -	5 14 11
Constables, for extra attendance during the election, Revising Barristers' Court, &c. &c. - - - - - - - - - -	14 19 –
	£. 170 12 –

The balance consequently in the year was 270*l.* 0*s.* 11½*d.*

Petty Sessions.

The Petty Sessions are specially appointed whenever they are found necessary. They were formerly held at stated periods, but the practice was discontinued, in consequence of the small number of offences committed within the borough.

2. Court of Pleas.

The civil court of the borough, called the Court of Pleas, was formerly held before the mayor and bailiffs, and had cognizance of all pleas, real and personal, when the cause of action arose within the borough; unless either the Crown or the commonalty of the borough were a party.

The steward of the court attended to record its proceedings.

BEDFORD.

No proceedings have been instituted in this court since 1789, and for many years previous there was very little business.

The town clerk could not inform us by what process appearance was forced; but executions were levied on the body, lands and goods.

It does not distinctly appear why this court fell into disuse; but the probable cause was the character of the corporate officers, appointed to officiate as judges. An application was made two years ago to hold the court, and refused on the ground that a general measure for the establishment of local courts was contemplated by the legislature; and it was not therefore advisable to revive a court over which unprofessional persons were appointed to preside.

3. Court Leet.

The Court Leet is exclusively composed of the common councilmen, who hold their sessions at Easter and Michaelmas. Their functions have already been stated incidentally. They elect some of the subordinate officers of the corporation, and constitute the burgess jury, which examines the title of claimants for admission to the freedom.

They formerly appointed constables for the borough, but this practice ceased in 1799. The appointment is now made by the magistrates. No reason was assigned for this change.

Presentments of nuisances are not made by the jury, but by officers appointed under the Act for improving the town.

Police.

The local Police is composed of the mayor's serjeant, 12 constables, the bellman, the beadle and the governor of the poor-house. The mayor's serjeant acts as chief constable. His salary and emoluments have been stated.

The 12 constables are annually appointed by the mayor, with the concurrence of the other borough magistrates, and they are paid out of the borough rate. (*See* "Sessions.")

This force is found sufficient for ordinary occasions, and when it has been necessary to swear in special constables, the assistance of the inhabitants has been willingly given.

A Night Watch is appointed under a local Act.

Gaol.

Prisoners are committed by the borough magistrates to the County Gaol and House of Correction, which are both within the town. These committals are made under the Gaol Act.

The prisons are not large enough to admit of a complete classification of the prisoners, according to the provisions of the Act; there being only seven yards in the gaol, and five in the house of correction. The classification, however, appears to be judiciously varied from time to time, and to be as perfect as the limited size of the prison will allow. In the gaol, only two of the yards can be inspected from the house of the governor; but in the house o correction the inspection is perfect. The female prisoners are employed in washing, and each prison has a tread-mill for the men. Great pains are taken to prevent them from conversing with each other. A wooden partition is placed between each two prisoners while at work on the tread-mill, and in the intervals of their work they walk about the yard singly, and at such a distance as to prevent conversation. The meals of the prisoners are taken in their respective cells. The expense of their maintenance is about 3*s.* a week each, which is paid out of the borough rate. The chaplain attends and reads the church service every morning and frequently converses with and instructs the prisoners.

On the whole the management of these prisons appears to be very judicious.

The old borough gaol has been pulled down.

Licenses.

Licenses are granted by the town magistrates. The number of licensed houses has considerably diminished within the last 30 years; the present number is 38.

The principal inn and another house are the property of the Duke of Bedford; 11 belong to Sir William Long, knight, an alderman and brewer; three to another alderman and brewer; and thirteen to other members of the corporation. The aldermen are both in the commission of the peace.

The directors of the house of industry, in their annual report for the year ending 20th March 1832, made the following complaint of the publicans.

They state that they "feel it to be their duty to notice the very reprehensible conduct of many of the publicans and beer-sellers suffering men who they must know are principally dependent on parish relief, to spend what they receive in drinking to excess, to the great distress of their wives and families, and the injury of the inhabitants. The directors are compelled to make these remarks, from a painful observance of numerous cases which have lately come before them."

Poor.

The corporation, as such, do not interfere with the management of the Poor, nor with the local regulations for the improvement of the town.

The former are under the management of directors, who make an annual report to the inhabitants, accompanied by a full statement of the receipts and expenditure. The latter are under the control of commissioners appointed by Act of Parliament.

V. PATRONAGE.

The corporation possess the advowson of the rectory and hospital of Saint John the Baptist.

The present Incumbent is the Rev. Philip Hunt, LL.D. one of the common councilmen of the borough.

They appoint the organist of Saint Paul's, Bedford, and select five annuitants as objects of Hawes's charity, who each receive 2*l.* 8*s.* a year.

Their

Their chief patronage, however, arises from the Bedford Charity. The mayor, recorder, aldermen, bailiffs, chamberlain and common councilmen are all trustees of this charity, by virtue of their several offices. The other trustees are, the lord lieutenant and the representatives of the county, the representatives of the borough, the master of the grammar school, (who is at present a common councilman), the under master of the school, and 18 persons chosen by the inhabitants.

Bedford Charity.

The nature of the trust is fully described in the Report of the Charity Commissioners.

The extent of the patronage, arising out of the selection of the objects of the charity and from the management and control of its funds, may be collected from the following summary of its revenues and expenditure during the last three years.

STATE of the REVENUES for the years ending 6th October 1831, 1832, 1833.

Revenue of this Charity.

REVENUE.	1831.	1832.	1833.
	£. s. d.	£. s. d.	£. s. d.
Balance in hands of Receiver - -	2,727 11 6	3,234 15 10	560 12 7
——— Clerk - - -	3,351 13 9	2,781 1 8	278 16 2
Rent of Estate in Middlesex, with arrears - - - - - -	11,562 7 6	11,538 8 4	12,172 9 2
——— Bedford - -	21 7 –	99 18 –	91 9 –
Sales - - - - - -	491 13 6	184 17 6	427 18 6
Premium returned from County Fire Office - - - - - -	- - -	- - -	7 5 3
£.	18,154 13 3	17,839 1 4	13,538 10 8

The balance is struck on the 7th October every year. The rent is entered up to the 24th June.

STATE of the EXPENDITURE during the same years.

Summary of its Expenditure.

EXPENDITURE.	1831.	1832.	1833.
Schools; viz.	£. s. d.	£. s. d.	£. s. d.
Grammar - - - - -	1,529 6 3	1,514 10 5	1,259 3 9
English - - - - -	574 3 7	655 16 9	600 4 7
Preparatory Commercial - -	- - -	20 – –	80 – –
National - - - - -	160 5 6	233 2 5	245 11 4
Girls - - - - - -	25 – 3	—	—
Examiner's Expenses - - -	31 – –	—	—
Exhibitions - - - - -	240 – –	560 – –	640 – –
Marriage Portions - - - -	360 – –	400 – –	520 – –
Hospital for Children - - - -	731 1 8	596 4 1	675 8 1
Apprentices:			
At Binding - - - -	555 10 –	765 – –	555 – –
On half time - - - -	292 – –	560 – –	424 – –
Donations on going out to Service -	86 – –	71 – –	67 – –
Benefactions to Apprentices after Service	230 – –	340 – –	350 – –
Almshouses - - - - -	1,986 – 6	1,995 13 –	1,997 – 1
Distribution to the Poor - - -	506 3 –	500 – –	500 – –
Receiver's Salary - - - -	400 – –	400 – –	400 – –
Clerk's Salary - - - -	150 – –	150 – –	150 – –
Ditto, as Surveyor - - - -	30 – –	30 – –	30 – –
Purchases - - - - -	2,500 – –	—	—
New Buildings - - - - -	- - -	5,500 – –	1,200 – –
Repairs, Insurance, Taxes, &c. - -	1,097 1 10	2,443 2 8	2,480 4 7
Payments in the Receiver's Accounts -	655 3 2	265 3 3	301 16 –
Balance in the hands of the Receiver, Oct. 6 - - - - - -	3,234 15 10	560 12 7	510 – 6
The like in the hands of the Clerk -	2,781 1 8	278 16 2	553 1 9
£.	18,154 13 3	17,839 1 4	13,538 10 8

A detailed account of the receipts and expenditure is annually published and circulated among the inhabitants. A copy of the last three accounts accompanies our report.

The administration of this charity is considered to be virtually in the hands of the corporation, who outnumber the other trustees. In the selection of objects, and in the exercise of their trust generally, it is admitted by their opponents that they have been impartial, and that notwithstanding their political character, and their avowed preference of churchmen

BEDFORD

churchmen for municipal offices, they have administered this important trust without any distinction of political opinions or religious tenets.

One charge was brought against them with reference to the patronage. The case was this: A petition had been presented to the House of Commons against the corporation, purporting to be a petition of the inhabitants, although it appears that the names of many inhabitants were affixed without any authority. One of the petitioners had previously applied for an almshouse belonging to the charity. Upon renewing his application to members of the corporation, he was reminded of the petition; and one of the aldermen, who had before promised his support, observed that he could not expect a favour from the corporation, after joining in such complaints against them. Since then, almshouses had been vacant, but the petitioner had been passed over; and one of the elective trustees stated his impression to have been that there was among the members of the council a feeling unfavourable to the petitioner, which would prevent the success of his application.

The circumstances of the case were fully inquired into, and we report the substance of the evidence.

The petitioner's own statement is, that on asking an alderman for his support, he was told that he had done a wrong thing; that it was odd he should come and ask a favour of those he had petitioned against; that he had hurt himself by it. The alderman did not refuse his support, but he would give no promise; he said "he hoped that the petition would be for the good of the town, and then the applicant might get an almshouse." From this conversation he did not understand that the alderman would oppose his having an almshouse, for, like others to whom the same application was made, he promised to bear it in mind. On applying to those others, some took notice of the signing and some did not. The notice was much the same in all cases. None refused. All promised to bear him in mind. One who had previously promised his support, when reminded of it afterwards, noticed the petition without giving any answer to his request. This was also an alderman.

The following explanation of the matter is given by the two aldermen here alluded to.

The one who told the petitioner that he had done wrong in signing the petition, states, that when the application was made to him, he said that he was sorry the applicant had signed it, as it might injure him in his chance of getting an almshouse. He considered him a respectable person, and was desirous that he should succeed in obtaining one; and accordingly at the next meeting of the trustees, he brought his case before their notice, recommended him as a proper object, and read a letter stating his claims.

The other alderman admits that he declined to propose the petitioner, though not on account of the petition; for he told him at the time that there were other individuals who had stronger claims. His previous promise had been, not to propose, but to support him; and at a meeting of the trustees he had supported his application. When he was asked to be the proposer, he declined, because he had himself an old servant to propose, and this reason he had before assigned to the applicant. It had been said at one of the trust meetings, that members of the corporation had refused to propose a person who had signed the petition against them; upon which there was a cry of 'Name.' After some hesitation, his own name was mentioned; and this case was adverted to. He immediately denied it, and wished the petitioner to be sent for. The trustees however thought it unnecessary.

This is the explanation given by the two aldermen. It is further alleged, that all those to whom almshouses have been assigned since the petitioner's claim was sent in, have had stronger claims upon the charity than himself; nor is this denied by those who brought forward his case as one of corporate resentment.

The following aacount of the petition against the corporation is given by the attorney, at whose office it was engrossed. It was first carried round the town by his clerk, and then, after lying for two days at an open shop for signature, it was taken away by the same clerk and sent up to London. While it lay in the shop he saw several names affixed which he believed were not the real names of the parties; and he had himself seen a person signing the name of another; but this he considered to be no objection, as the signatures might have been authorized; and all the respectable names he knew to be genuine. Mr. Pulley's name was then instanced as one that was respectable. Mr. Pulley stated that his name had been signed without any authority from him. The attorney then qualified his statement; he meant the respectable persons among his immediate neighbours. Mr. Naden was instanced as a respectable person who lived next door. It appeared that Mr. Naden's name had in fact been forged before the petition went to the shop, and consequently while it remained in the custody of the attorney or his clerk. Many other persons have complained that their names were affixed without their concurrence.

The complaint arising out of this petition was the only one brought against the corporation as patrons and trustees of the Bedford Charity.

VI. PROPERTY.

The Property of the corporation consists of lands, houses and other tenements; the tolls of fairs and markets; quit-rents and other ancient payments; and stock in the public funds.

1. Lands and Houses.

The Lands, about 60 acres in extent, and principally meadow, are all within the town or its vicinity. The time of acquiring this and other property is unknown.

The Houses and Tenements are within the town. The greater number of them are butchers' shops and shambles, vested in the corporation by the Improvement Act. One of the tenements is a wharf built by the corporation in 1828, in consequence of a petition from the inhabitants; and a small sum is paid for its use.

The

The Lands and Houses are occupied by different tenants, at the rents specified in a Table, which accompanies our Report. Some of the tenants are members of the corporation, but the majority are not freemen, and it does not appear that any favour has been shown to the tenants. Since 1830, all leases have been put up to auction, and the tenancies are either from year to year, or for short terms not exceeding 14 years; the older leases are for long terms, and proportionable fines were received.

The only premises for which an inadequate rent is reserved had been previously occupied for some years, with an understanding that a lease was to be granted on the original terms of the occupancy; and the corporation considered they were bound in equity to grant the lease. The lessees are the trustees of the Bedford Charity. This lease comprises a pightle or close, held by the corporation in trust for another charity, instituted by Thomas Hawes. (*See* 6th Rep. of Charity Commissioners, p. 54.)

The rents derived from these lands and tenements are as follows:

SITUATION OF PROPERTY.	RENT.		
	£.	s.	d.
St. Paul's	241	3	7
St. Cuthbert's	86	5	–
St. Mary's	10	10	6
Cardington	18	–	–
Goldington	41	–	–
£.	396	19	1

This sum includes a payment of about 10 *l.* a year for the use of the wharf, and a few other small payments probably reserved in right of the soil.

2. Tolls.

The Tolls of fairs and markets, held within the town, are let by auction for three years at 100 *l.* a year. The following Schedule of Rates was published about seven years ago, after an inquiry by the corporation into the extent of their prescriptive rights.

TOLLS of FAIRS and MARKETS payable by the BUYER.

	£.	s.	d.
For every bull	–	–	4
For every ox, cow or calf	–	–	2
For every stallion	–	–	8
For every gelding or mare	–	–	4
For every score of sheep, and in that proportion for every part of a score	–	–	8
For a sow with pigs	–	–	4
For every other pig	–	–	1
For the use of a sheep-pen of four hurdles, and in that proportion for a larger or smaller pen	–	1	6
From every person offering butter, eggs, vegetables, poultry or other provisions for sale, each day	–	–	1
The show penny from every person exhibiting goods, &c. for sale, each day	–	–	1

Stallage.

For every foot in length of a stall of three average boards in width, on fair days	–	–	3
Ditto, at all other times	–	–	1
Ditto, if tilted, each stall an additional	–	–	3

Piccage.

For pitching goods or articles for sale, exclusive of the show penny, each day	–	–	1
For every auction in the public streets	–	1	–
From every grinder, per day	–	–	2

For every public show, according to special contract with the lessee.

N. B.—Freemen are exempt.

It is a matter of complaint, that these tolls have been increased, and in some instances doubled, within the last few years. The town clerk's answer to the complaint is, that the corporation are by prescription entitled to reasonable tolls, and that the tolls levied are reasonable; that where they have been resisted the corporation have proceeded to establish their right by actions at law; and that where the actions have been defended, the defence has been afterwards abandoned under the advice of counsel, and costs paid to the corporation; at least this was the case in one instance.

BEDFORD.

A Toll-passage was formerly levied by the corporation for passing the Bedford bridge, from which the freemen alone were exempt. This toll was charged with the repairs and maintenance of the bridge, but the amount was found inadequate to meet this charge, and an old and narrow bridge was long suffered to remain in an inconvenient and dangerous state, while by the nature of its piers the current of the river was impeded.

Under the Improvement Act previously mentioned, the toll with its liabilities was transferred from the corporation to the Commissioners, and a sum of 900*l.* was received by the former as a compensation; but the freeman's right of free passage was not preserved. This is another subject of complaint against the corporate authorities. In reply they say, that a new and convenient bridge has been erected as a substitute for one which was old and inconvenient; that the Act has provided for the final cessation of the tolls as soon as the debt, which was incurred to defray the cost of the new bridge and the improvements connected with it, has been paid off; and that by the donations of the Duke of Bedford and other gentlemen this cessation will now take place in the course of two years, when the freemen and all other inhabitants will again be exempt from toll, and have the free enjoyment of all the bridge improvements.

It appears that the Duke of Bedford advanced 2,000*l.* towards this object; Lord Tavistock, 500*l.*; Lord Bute, 100*l.*; Mr. Whitbread, 2,000*l.*; and that these, with other sums amounting altogether to 10,000*l.*, and for which no interest has been paid, have now become donations to the town.

It is quite clear that the freemen have been benefited, in common with the other inhabitants, by the substitution of a good for a bad bridge.

Another prescriptive Toll was formerly levied by the corporation upon all grain sold and delivered in the town. Disputes arose some years ago with the farmers of the neighbourhood, who had combined to resist the payment, and their resistance led to a proposal, on the part of the corporation, to abandon the toll altogether, on payment of 200*l.* To this the farmers agreed; the money was paid, and since 1813, the toll has ceased.

This toll had been charged with the salary of the organist of Saint Paul's parish. How the charge originated is unknown, but the salary is now paid out of the general corporate fund.

3. Haggable, or Quit Rents.

The origin of the Haggable or Quit Rents, and other ancient payments in respect of tenements in the town, is also unknown. The amount of the former is 4*l.* 18*s.* 4*d.* a year; of the latter 2*l.* 9*s.* 4*d.*

Among the ancient payments two are reserved for sites of ancient passages to the river. Complaints were made by several of the inhabitants, that the corporation had suffered these passages to be stopped up, and that much inconvenience was suffered from the want of a proper access to the river: Among the instances of inconvenience, it was stated, that in case of fire, there would be considerable difficulty in obtaining water. It appears that an alderman has been allowed to occupy one of the sites where a passage formerly existed. The alderman states that it was necessary to stop up the passage, in order to build the new bridge. Another had been opened by the Commissioners, and steps placed for the convenience of the inhabitants; but a dispute has arisen with the Duke of Bedford as to the right of property, and this avenue has been closed for the present by the Duke's steward.

The practical inconvenience, however, does not appear to be great. A way is open at all times of the day through the premises of a member of the corporation; and the same convenience is allowed during the night on any emergency. The apprehensions in case of fire have never been realized; and when a fire happened not long ago, no difficulty was experienced in obtaining a full supply of water.

4. Public Stock.

The remainder of the corporate property is Stock in the public funds. A sum of 1,500*l.* invested in the 4 per cent. annuities of 1826, produces 60*l.* a year. Of this sum, 800*l.* were the proceeds of land sold in 1830. (*See* "Alienations.") The remaining 700*l.* had accrued from savings of the surplus income.

5. Fees and Fines.

The amount received for Fees and Fines has of late years been inconsiderable.

Revenue.

The annual revenue arising from the sources enumerated, without including the fees and fines, is 561*l.* 17*s.* 5*d.*

The chamberlain's receipts during the years 1829–30, 1830–31, 1831–32, are shown in the following Abstract of his Accounts for those years.

RECEIPTS.	1829-30.	1830–1.	1831–2.
	£. s. d.	£. s. d.	£. s. d.
Balance - - - - - - -	169 12 7	361 1 1	306 11 –
Rental - - - - - - -	465 12 8	392 13 9	397 4 11
Tolls - - - - - - -	90 – –	92 10 –	100 – –
Quit Rents - - - - - -	4 18 3	4 18 3	4 18 3
Dividends - - - - - -	44 – –	60 – –	60 – –
Fees and Fines - - - - -	12 9 4	1 9 4	– 14 8
Sale of Land - - - - -	800 – –	—	—
Contingent Receipts; Wharfage - -	1 6 4	2 18 2	5 13 9
£.	1,587 19 2	915 10 7	875 2 7

The Expenditure during the same three years, 1829–30, 1830–1, 1831–2, has been as follows: the Summary is abstracted from the Chamberlain's Accounts.

Expenditure.

DISBURSEMENTS.	1829–30.	1830–1.	1831–2.
	£. s. d.	£. s. d.	£. s. d.
Hawes's Charity	3 4 8	8 10 8	95 13 8
Salaries: 1. Corporate Officers	74 7 10	70 16 –	37 16 –
2. Organists	18 9 8	20 – –	20 – –
Rates and Taxes	26 3 9	9 4 10	9 15 2
Repairs	20 1 5	51 12 10	148 12 2
Law Expenses	18 15 3	119 6 11	11 19 4
Entertainments	82 7 2	87 6 6	78 19 –
Donations	24 19 –	31 9 6	116 12 9
Invested in Government Funds	842 10 –	—	—
Contingencies	115 19 4	210 12 4	178 1 10
Balance	361 1 1	306 11 –	177 12 8
£.	1,587 19 2	915 10 7	875 2 7

1. Hawes's Charity.

The sum paid on account of Hawes's Charity is an annual charge on the property. The sum placed under this head in the account of 1831–2, includes an investment in the public funds. (*See* Twelfth Report of Charity Commissioners, p. 56.)

2. Salaries.

The Salaries to the corporate officers have been specified under the head of Officers. That to the organist of St. Paul's has also been mentioned as a former charge upon the corn tolls.

3. Repairs.

For the Repairs of the corporate property, those tradesmen are preferred who are members of the corporation. The largest bill in the last account is that of an alderman and bailiff, who is a builder: the amount is 69*l.* 16*s.* 5*d.*

4. Entertainments.

Five Entertainments are given every year, and the annual cost rather exceeds 80*l.*, which is about a seventh of the whole income.

5. Donations.

The sum of 116*l.* 12*s.* 9*d.* for Donations in the year 1831–2, includes two sums of 50*l.* each given to the church; one for alterations, the other towards a new organ.

6. Investments.

The Investment of 1830 will be explained under the head of Alienations.

7. Contingencies.

The Contingencies include all disbursements not referable to the other heads of expenditure. They include the mayor's allowance on serving a second time; payments to constables and jurors; the cost of liveries for the inferior officers; fee-farm and quit-rents, and other small permanent charges upon the estates; hire of ground for holding the fairs; allowances to the widows of deceased bailiffs; stationery, and other necessary current expenses. In the expenditure of the year 1831–2, is a payment of 19*l.* 12*s.* 2*d.* for two faculties; and a subscription of 5*l.* towards the town plate.

Vote of Money for local Improvements.

In March 1833, the council voted 1,000*l.* towards improvements in the town, then in contemplation. The sum required for these improvements was 8,000*l.*, and as this could not be raised, the vote of the council has not been carried into effect.

Audit of Accounts.

The general corporation account kept by the chamberlain, and the common account kept by the mayor, are audited every year by the common council, when the bills are all examined.

It has already been observed that the council employs its own members as tradesmen; and it consequently happens, in such cases, that their own are among the bills to be examined. Upon these occasions they do not interfere, but they do not withdraw either from the examination of the bills, or from the audit of the accounts.

The accounts are not published, nor have the inhabitants, or even the freemen, any access to them. The town clerk states, that publication would only cause contention, and he does not consider that the public have any thing to do with the corporate property.

A copy of the last audited account, for the year 1831–2, will be found among the documents which accompany the Report.

Alienations of Property.

The Alienations of Property, during the last 50 years, have been as follows:

In 1803, a tenement at Saint Lloyd's, Bedford, was sold to the justices of the county for 30*l.* The money was applied to the general fund of the corporation.

In the same year, four tenements at Saint Lloyd's, Bedford, were sold to the trustees of the Bedford Charity for 100*l.* The money was applied to the general fund of the corporation.

In 1804, six shops in the old Butcher-row were sold to the Commissioners of Improvement, under the Act of 43 Geo. III. c. 128, for 150*l.* The money was applied to the general fund of the corporation; and in the same year a sum of 200*l.* was advanced out of that fund to the Commissioners.

In 1810, the tolls of the late bridge over the Ouze at Bedford were sold to the Commissioners of Improvement, under the Act of 50 Geo. III. c. 82, for 900*l.* The money was applied in the purchase of Exchequer bills, which were sold in the following year, and out

BEDFORD.

of the produce a sum of 500*l.* was paid, on account of costs and expenses incurred in the chancery suit, Monkhouse *v.* The Corporation. The nature of this suit has already been explained. The residue of the proceeds was applied in payment of the ordinary expenses of the corporation.

In the same year, the late guildhall and butter-market, in Saint Paul's, Bedford, belonging to the corporation, became vested in Commissioners, by the Act of 43 Geo. III. c. 128, p. 10. By this Act, the Commissioners were authorized to pull down the buildings, and sell the materials, which they accordingly did; and they were also authorized to build a new guildhall and market-house, which was not done. By a subsequent Act (the 50 Geo. III. c. 82), the butchers' shops and shambles which had been erected, and the market-place and ground belonging to them, which had been vested in the Commissioners by the former Act, were re-vested in the corporation; and the directions in the former Act for rebuilding the guildhall and market-house were repealed.

In 1813, the toll of grain was, under the circumstances before stated, abandoned by compromise, for 200*l.*; and the money was applied to the general fund of the corporation.

In 1815, a close of arable land, in Saint Peter's, Bedford, containing 14A. 2R. 20P., was sold to John Foster, esq. for 1,050*l.* The money was applied towards the payment of principal, interest and costs, in the suit of Monkhouse *v.* Corporation.

The total amount of costs in this suit was 2,132*l.* 0*s.* 9*d.* A finance committee had been appointed by the council to find ways and means for paying this sum. They recommended the sale to Mr. Foster of the property in question, which they valued at 900*l.* only; and that a sum of 900*l.*, which had been advanced on loan by the corporation to the commissioners for the improvement of the town, should be called in. They also recommended that the bailiffs' receipts should be resumed by the corporation, their expenditure given up, and the feasts curtailed. This was accordingly done.

In 1816, a small piece of garden ground in Saint Cuthbert, Bedford, was sold to Joseph Covington for 40*l.*; and the money applied to the same purpose. This sale was also recommended by the finance committee.

In 1829, another small piece of ground in Saint Cuthbert's, Bedford, was sold to John Henry Matthison for 32*l.* It was sold by auction, and the money was applied to the general funds of the corporation.

The last alienation was in 1830, when a piece of ground at Saint Lloyd's, called the Pest-house Close, and containing 1A. 1R. 26P., was sold to George Handscomb Miller for 800*l.* The money was applied in the purchase of the 4 per cent. stock. (*See* Property.)

This land had been previously put up to auction, with a reserved bidding of 790*l.* It was ultimately sold by private contract, and the sale is considered advantageous.

These alienations appear, in all cases, to have been made at a fair valuation of the property.

VII. STATE OF THE TOWN.

The population of the borough, according to the last Parliamentary Returns, was as follows:—

PARISH.	1801.	1811.	1821.	1831.
St. Cuthbert - - -	351	479	578	733
St. John - - - -	254	324	352	486
St. Mary - - - -	616	690	808	879
St. Paul - - - -	2,150	2,489	3,075	3,956
St. Peter - - - -	577	623	653	905
	3,948	4,605	5,466	6,959

The male population was 3,202.

Houses.

The number of Houses, in 1821, was 1,104.
in 1831, — 1,491.—(Pop. Ret.)

Of these houses, the number taxed at 10*l.* and upwards was 209; the number worth 10*l.* and upwards 493.—(Bound. Rep.)

Property.

The annual value of Real Property, returned in 1815, was 9,188*l.*

The Rateable Property, at the present time, is valued for the purpose of assessment at 9,140*l.*

Local Taxation.

The amounts raised by Assessment, during the last two years, has been as follows:—

PARISH.	1832.	1833.
	£. s. d.	£. s. d.
St. Paul's - - - - -	1,669 16 –	1,821 12 –
St. Mary's - - - - -	498 6 –	543 12 –
St. Peter's - - - - -	285 9 –	311 8 –
St. Cuthbert's - - - -	211 15 –	231 – –
St. John's - - - - -	124 17 –	136 4 –
TOTAL - - £.	2,790 3 –	3,043 16 –

The

The following is a Statement of the expenditure during the last ten years:—

	£.	s.	d.		£.	s.	d.
1824	2,036	4	–	1829	2,762	11	10
1825	2,143	11	10	1830	2,967	11	2
1826	2,192	15	1	1831	3,273	2	8½
1827	2,334	19	6	1832	3,199	14	7¾
1828	2,681	–	4	1833	3,466	–	11½

The Accounts are annually published.

The amount raised under the Improvement Act, for the year ending 24th June 1833, was 315*l.*

The Receipts and Expenditure were as follows:—

RECEIPTS.	£.	s.	d.
Balance in the treasurer's hands the 24th June 1832	92	16	4
Amount received by the yearly rate	315	–	–
Amount of cash received from the trustees of the Bedford Charity for lamp-lighting	20	–	–
Amount of cash received from the Bridge Fund, for lighting the lamps on the bridge	11	8	–
Total income	£. 439	4	4

EXPENDITURE.	£.	s.	d.
Interest upon 3,780 *l.*, owing on the security of the rates, at 4 per cent.	151	4	–
Lamp-lighting	171	17	–
Scavenging, and watering the streets, by contract	85	–	–
Watchmen	85	1	–
Clerk's salary	30	–	–
Repairs of pavements, drains and other works, and for carts, tools and materials	164	17	7
Total expenditure	£. 687	19	7

The deficiency, therefore, was 248*l.* 15*s.* 3*d.* This deficiency was made up by three donations; viz.

The Duke of Bedford	£. 100
William Henry Whitbread, esq.	100
Samuel Crawley, esq.	50

The account was examined, and passed at a general meeting of the commissioners held on Friday, 6th day of September 1833.

The Amount of Assessed Taxes in 1828, was	£. 1,999	8	6
in 1829, was	2,143	18	8
in 1830, was	2,046	18	3½

(Parl. Ret. 325.)

The Local Acts relating to the borough are— Local Acts.

An Act for the better Relief, Regulation and Employment of the Poor within the Town of Bedford, in the County of Bedford, 34th Geo. III. c. 98.

2. An Act for dividing, allotting and inclosing the Open and Common Fields, Meadow, Closes, Commonable Lands, Pastures, Commons and Waste Grounds within the several Parishes of St. Paul, St. Peter, and St. Cuthbert, in the Town of Bedford, in the County of Bedford, 35th Geo. III. c. 87.

3. An Act for dividing, allotting and inclosing the Open and Common Fields, Pastures, Commons and Waste Grounds within the Parish of St. Mary, in the Town of Bedford, in the County of Bedford, 37th Geo. III. c. 53.

4. An Act for the Improvement of the Town of Bedford, in the County of Bedford, and for rebuilding the Bridge over the River Ouze, in the said Town, 43d Geo. III. c. 128.

5. An Act for amending and enlarging the Powers of an Act of His present Majesty, intituled, "An Act for the Improvement of the Town of Bedford, in the County of Bedford, and for rebuilding the Bridge over the River Ouze, in the said Town," 50th Geo. III. c. 82.

6. An Act for the better management and disposition of the Estates given by Sir William Harpur, knight, and Dame Alice, his wife, for a Free and Perpetual School in the Town of Bedford, and other purposes, and of the Rents and Profits thereof. 7th Geo. IV. c. 29.

Prospects of the Town.

The town is rapidly increasing, and considered to be at present very prosperous. The wages of agricultural labour in its vicinity are 10*s.* to 12*s.* a week; the average number of persons unemployed is about 20, and the number of paupers has latterly decreased.

VIII. SUMMARY and OBSERVATIONS.

The Council of this borough, composed of the mayor, the recorder or his deputy, the aldermen, bailiffs and common councilmen, presents the appearance of a representative body. The mayor, the bailiffs, and the common councilmen are annually elected by the freemen; and the aldermen are those who have served the office of mayor, and have consequently been chosen

BEDFORD.

chosen at some time or other by the same electors. But all these functionaries must be chosen from the burgesses; and the burgesses are either hereditary or elective; and, if elective, are chosen by the council; so that by restricting the number of this municipal class, the council may limit the number of qualified persons, and virtually control the choice of the electors: and this is the practice of the constitution.

The council is, therefore, in fact, a select irresponsible body;—irresponsible to the freemen, except so far as annual elections under such circumstances can make them otherwise; and altogether irresponsible to the inhabitants, of whom the freemen form but a small section, whether they be considered with reference to their numbers or their property.

The working of the municipal system must consequently depend on the personal character of those individuals who may happen at any time to compose it, and that character has, during the last half century, undergone a material change. We have seen that for a long series of years, terminating in 1791, streams of non-resident freemen were perpetually poured into the borough, bearing down all opposition from the residents. Admissions went on from year to year, in batches of 50 and 100, till at length in 1769 they arrived at their maximum point, and no less than 500 were admitted at the same time in the interest of Sir Robert Barnard, who was afterwards elected recorder. This was the triumph over the then Duke of Bedford, celebrated by Junius in his 23d Letter.

The name by which these non-resident freemen are known in Bedford,—the "Guinea-pigs,"—is said to be derived from the fees they received as a compensation for their attendance in the borough, at a distance from their own homes. It was by means of their votes that the Recorder established or secured his influence over the elections, and returned members for the town; while the Council not only lent its assistance, but condescended to share the corruption of these Guinea-pig voters, by receiving from the hand of their Patron a sum of money which it is impossible to consider in any other light than as a bribe for their concurrence in his views. The receipt of this money they did not venture to record in their books;—its application remains unaccounted for,—no interest was paid to the lender, nor asked for, as long as the lender was returned to Parliament,—and when at length they were called upon to refund it, by the representative of one to whom the Borough and the Debt had been transferred at the same time, the Council were surprised to find that money borrowed, and for which their lands had been mortgaged, had ever been looked upon as a debt. They had "understood that the security was of no value." In the mean time the debt had been handed over from one to another, and appears to have been treated by the Representatives as the price, or a part of the price, to be paid for the support of the Council, with its numerous body of mercenaries called Honorary freemen, who were always ready to appear when summoned for the performance of their election service.

The consequence of this abuse of municipal power, accompanied with such gross corruption, was, that the corporation having forfeited all claim to the respect of respectable men; became lost in the public opinion of the town; and this was the state of municipal affairs when the present Duke of Bedford was elected Recorder. So far was the corporation degraded in the beginning of the present century, that the mayoralty had been refused by a burgess because he thought it below him to associate with the ruling body of the town.

In this state of things the Duke, soon after his election, addressed a circular letter to some of the most respectable inhabitants of both parties, inviting them to join the corporation. The invitation was accepted, and from that time the corporate proceedings assumed a different aspect.

By the introduction of a body of gentlemen whose personal characters gave a new character to the Council, a reform of great practical importance was effected. The Duke's political influence in the borough remained,—he did not abdicate his power by balancing the two parties, and giving to each an equal share of municipal authority; but he transferred power to respectability, without party exclusion; and the town clerks, appointed to witness and register the proceedings of the reformed council, have been, both the present and the past, avowed political opponents of the Duke and the corporation.

This change was the more important at the time, as the revenues of the Bedford Charity, under the control of the corporation, were becoming very considerable, and had they remained in the hands of an irresponsible body, whose character was already compromised by such transactions as we have reported, it is not difficult to conjecture the use to which those revenues might have been applied. So important a duty is the control of these funds in the borough of Bedford, that it may now be considered, and is considered by the intelligent town-clerk, as the very chief function of the Council.

In a borough of only 6,959 Inhabitants, and where the whole rateable Property does not exceed 9,140 *l.*, the Trustees have at their disposal, for the purposes of this charity, a Revenue of 12,000 *l.* a year. This revenue is applicable to the most various purposes. There are almshouses for the poor, with distributions of money; schools for the education of their children, where they may receive instruction according to their likelihood and promise;—a preparatory commercial school for one class; a national school for another; an English school for a third; and a grammar school for a fourth. Emulation is encouraged by prizes, and exhibitions at college are the rewards of those who are most distinguished. Boys of a different character are bound over to trades, and receive "benefactions after their service." Then there are donations to the daughters on going out to service, and marriage portions for "poor maidens." The consequences of marriage again are provided for by hospitals for children.

The duties of the Council in the administration of this extensive and varied patronage are rendered more difficult in practice by the strong party spirit which prevails in the town, separating

separating the friends from the opponents of the corporation, while the temptation to reward or punish is not checked by any fear of losing place and patronage at a future municipal election. It is true that its members are controlled by the Elective Guardians, annually chosen by the Inhabitants; but these annual guardians complain that they are not sufficient in number to influence the exercise of the patronage, and that practically the whole is in the hands of the Council. Three of these guardians, politically opposed to that body, and complaining of its undue influence, admitted that there was no party exclusion, either political or religious, in the administration of the trust. The undue influence they complained of was that of number, arising from the nature of the trust itself, as established by Act of Parliament, and not from the acts either of the Corporation or of its members.

One case only was brought forward as a charge of corporate resentment. The circumstances of the case were fully gone into by the examination of all those who were concerned. The substance of their evidence we have given in the body of the report:—the result appears to be that the applicant, who had signed a petition against the corporation, will, when his turn fairly comes, be appointed to occupy one of the almshouses in their gift, and that the delay in assigning him one has nothing to do with the petition, nor has any one been preferred without having stronger claims than himself on the charity.

If the general administration of the funds is as free from all objection, as the administrators are from political or religious partiality in the selection of its objects, the representatives of any new municipal constituency, who may be invested with the same power, cannot do better than follow the example of the present Guardians of the Bedford Charity.

But however unobjectionable may have been the exercise of this important trust, there is still a natural jealousy on the part of the Inhabitants towards those who are selected as patrons for life, without their concurrence; while the Elective patrons of their own choice are outnumbered by the select few, and as they report to their constituents, have virtually no share of the patronage. This occasions dissatisfaction.

No complaints are made of the local administration of justice, or of an inefficient police, or of licenses either improperly granted or withheld by the borough magistrates. The exercise of their jurisdiction appears to be satisfactory.

Neither are the individual members of the Council personally objectionable;—on the contrary, it was observed by a political opponent of this body, who for six successive years has been elected a director of the House of Industry, and who has for 21 years been an elective trustee of the Bedford Charity, chosen by the Inhabitants, that the persons now composing this Council are worthy of a better system. But the municipal affairs of the town, and the patronage of the corporation, are in the hands of a few individuals over whom the majority of inhabitants have no control, and hence the discontent.

The existing state of the Corporation, considered with reference to population, property and taxation, has been fully illustrated in the body of the Report. It was there shown that, the resident members form only 1-70th part of the Population of the borough; that the Property for which they are assessed is less than 1-4th of the whole; and that their share of the local burdens is nearly in the same proportion. The borough now contains 736 Inhabitant Householders entitled to vote for Members of Parliament, who have no vote in their own local concerns; and of the Freemen having votes in municipal affairs, more than one-fourth are without any qualification either of property or occupation, which would entitle them to vote for Members of Parliament.

IX. DOCUMENTS.

64. The Documents accompanying this Report are:—

1. A Translation of the governing Charter.
2. A List of the present Members of the Council.
3. A Table specifying the Corporation Lands, their situation, the terms of the several existing Leases, and the Names of the Lessees.
4. A Copy of the last audited Account of the Corporation.
5. The Annual Statements published by the Trustees of the Bedford Charity for the years 1831, 1832, 1833.
6. The published Account of the Money raised and expended, under the Town Improvement Act, during the year.

Geo. Long.
John Buckle.

49

REPORT

ON

THE TOWN OF BECCLES,

(SUFFOLK.)

CONTENTS.

	Page
I. Limits, Extent and Population	2129
II. Municipal History	2129
Original Tenure of Beccles Fen	2129
Interest of the Inhabitants in the Fen	2129
Grant of the Fen by Hen. VIII. to William Rede, in trust for the Inhabitants	2129
Disputes between the Inhabitants and their Trustee	2129
Indenture between the Inhabitants and their Trustee	2130
Inquisition and Forfeiture of the Fen to the Crown, for non-fulfilment of the intent	2130
Incorporation of Inhabitants by Hen. VIII. A. R. 34.	2130
Renewal of disputes between the Inhabitants and their late Trustee, and Petition to Lord Keeper, to appoint persons to settle these disputes	2130
Surrender by the Inhabitants to Queen Elizabeth	2131
Intent of the Surrender	2131
Release by the Redes to the Inhabitants of all interest in the Fen	2131
Charter of Eliz. A. R. 26.	2132
Attempts to set aside the Charter	2132
Grounds of Complaint against the Corporation	2132
Decree of the Chancellor	2132
Continued opposition to the new Corporation	2132
Commission of Inquiry to investigate Grievances and Award of Commissioners	2132
Confirmation of Charter by Eliz. A. R. 30	2132
Confirmation of Charter by James I. A. R. 2	2133
Summons to appear before Corporation Commission in 1652	2133
III. Corporate Body and Constitution	2133
Title	2133
Enumeration of Officers	2133
Election of Officers, and qualification for office	2133
Functions, Salaries, and Privileges of Officers	2133
1. Officers composing the Ruling Body	2133
Portreeve	2133
Surveyors	2134
Common Council	2134
2. The Ruling body	2135
3. Ministerial Officers	2136
Common Clerk	2136
Deputy Steward	2136
Serjeants-at-Mace	2137
Accountant	2137
Auctioneer	2137
Residence of Officers	2137
Amotion of Officers	2137
The Commonalty and their Privileges	2137
IV. Jurisdiction—Court of Record	2137
Police	2138
Gaol	2138
Poor	2138
V. Property	2138
Lands	2138
Leases	2139
Common	2139
Hospital Lands	2140
Tolls	2140
Stock	2140
Public Buildings	2140
Summary of Receipts	2141
Annual Charge	2141
Debts	2141
Expenditure: Ordinary	2142
Extraordinary	2144
Accounts and Audit	2146
Publicity of Accounts	2146
Alienations	2146
VI. Patronage	2147
VII. State of Town and Local Acts	2147
VIII. Summary and Observations	2147
IX. Documents	2148

TOWN OF BECCLES.

I. Limits, Extent and Population.

THE town of Beccles is coextensive with the parish of Beccles.

Its population, according to the last census, was 3,862. Its area, exclusive of the space occupied by houses and gardens, rather exceeds 1,877 acres.

II. Municipal History.

The Inhabitants of this Town were first incorporated by Henry VIII. in the 34th year of his reign, by the name of "The Inhabitants of the Town of Beccles, in the County of Suffolk." The Incorporation was accompanied by a grant of Beccles Fen, to hold of the Crown by fealty, and an annual rent of 13*s.* 4*d.*

Original Tenure of Beccles Fen.

It appears that the Inhabitants had from time immemorial enjoyed the use of the Fen, and that before this grant from the Crown they held it of the Abbot and convent of Bury.

In 1391 they took possession of the land, and an action of novel disseisin was brought, in which William, abbot of Bury, was demandant, and Roger Atte Lee and ten others, all described as Inhabitants of Beccles, were defendants. The verdict, dated in the 15th year of Ric. II., states, "And as to the aforesaid 1,400 acres of pasture, with the appurtenances, which are in the aforesaid town of Beccles, the same recognitors say upon their oath, that the aforesaid abbot was seised of the same as of his free tenement, until the said Roger and the others in the said writ named him justly and without judgment disseised, to the loss of the same abbot of 200 marks, &c; and the said recognitors having inquired what right the said abbot had in the said 1,400 acres of pasture, with the appurtenances, and who of his predecessors was seised thereof, say upon their oath, that one Sampson, late abbot of the aforesaid place, the predecessor of the said new abbot, was seised as in right of his church of Saint Edmund of the said 1,400 acres of pasture with the appurtenances, as parcels of his manor of Beccles, in the time of King Henry, the son of King John; and in like manner the same late abbot, and all the other abbots of the same place, of the same 1,400 acres of pasture, as parcel of the manor aforesaid, were seised as in right of the church aforesaid from time immemorial, until the said Roger and the others in the said writ named the said now abbot thereof in manner aforesaid disseised. Therefore it is considered that the said now abbot shall recover his seisin of the said 1,400 acres," &c.

Interest of the Inhabitants in the Fen.

The interest of the Inhabitants before the dissolution of monasteries may be collected from the proceedings in a chancery suit instituted by the corporation against John Rede, temp. Eliz., and still preserved amongst their muniments. It is there stated, that in the beginning of the reign of King Henry VI. the abbot and convent of Bury, by a deed under their convent seal, granted to certain individuals, then Inhabitants of Beccles, "a certain great ground of marsh, fen and pasture, called and known by the name of Beccles Fen or Beccles Common, then or long time before being parcel of the manor of Beccles, parcel of the possessions of the said late dissolved monastery, containing by estimation 1,400 acres." It was granted to them in fee, to the intent that the fen should thenceforth remain a common feed and pasture for the beasts of the inhabitants and tenants of the said abbot within the town of Beccles. The rent reserved was 6*l.* 13*s.* 4*d.* a year.

Although the fen was a part of the manor, there is no reason to suppose that it was ever part of the waste or a common on which the tenants had any legal right of commonage; but on the contrary, a sole and exclusive ownership appears to have been exercised by the abbot and convent, and their title was established by the trial with the inhabitants.

Among the archives of the town is the following receipt, given in the early part of the reign of Hen. VIII.: "This bill, made the 2d day of September, the third year of King Henry VIII., witnesseth that I, Henry Fyrmage, servant of Mr. Chambryer, of the monastery of Bury Saint Edmund's, have received of John Waters, John Herring, John Thorn and Richard Buk, fenreeves of the town of Beccles, for the yearly farm of their fen, 10 marks of good and lawful money, to the use and behoof of his said master. In witness whereof, I, the said Henry, have set to my seal and subscribed my name. Witness my hand the day and year above said." This is the only memorial preserved of any transaction between the Abbot and the Inhabitants.

Grant of the Fen to William Rede in Trust for the Inhabitants.

The first grant of the fen by the Crown was made in the year 1540, to William Rede, merchant, and his heirs, in trust for the Inhabitantsof the town.

This merchant is described in an ancient document as "a man of wyrship." He was a justice of the peace, and "a man then specalie beloved and trusted amongst the inhabitants, a chief man of the sayde town, and one greatly favouring the town and townesmen, and one that did in those dayes give great alms to the poore, and did bestowe good sums of money in mending of highways about and near the towne."

The sum paid to the King for this grant was 120*l.*

Origin of disputes between the Inhabitants and their Trustee.

It seems, then, at this time there was in the hands of Mr. Rede a sum of 400 marks, arising from the sale of lands and sheep belonging to a Gild in the town; besides a further sum, arising from the sale of plate belonging to the same Gild. This money had been placed in his hands by the "gildermen," who, anticipating the King's intentions, sold their property,

BECCLES.

and left him but little to seize on the dissolution of their fraternity, which soon afterwards took place. The abbot's fee-farm rent had been previously paid by the fraternity, and it was now determined that the proceeds of the sales should be applied in defraying the expenses attending the new grant from the Crown. The application of this fund became a fertile source of disputes between the inhabitants and their trustee. They charged him with the embezzlement of part of the money; the trustee asserted that he had expended it in obtaining the grant.

Indenture between the Inhabitants and their Trustee.

Their disputes were suspended for a time by an indenture made between the contending parties, and executed by the churchwardens on behalf of the inhabitants. In this deed, "it is confessed by the seid Will'm Rede and ye seid other p'ties that the seid comen was purchased indifferently with the money of the seid Will'm Rede and ye moneye of ye seid inhabitants, beynge in the custodie of the seid Will'm Rede, to ye use of the seid inhabitants, by reason of w'ch seid p'chase, there is no moneye remaynyng in the hands and possession of the seyd Will'm Rede. And the seid churchwardens and inhabitants, by thes pt's do dyscharge the seyd Will'm Rede and his executors of and for all and syngler soms of money, &c. And it is also further agreed, &c. that it shall be lawful to the seyd inhabitants, and every man ells, to sey that the seyd comen was bought and p'chased with the money of the seyd Will'm Rede, and the money of the seyd inhabitants remayning in the possession of the seyd Will'm Rede, to th' use of the seyd inhabitants, without offendyng of the seyd Will'm Rede, and yt the seyd Will'm Rede shall not be offendyd wyth the seid report, but be content therwith, and not to sue or troble any man for so seying."

Intent of the Grant made by Hen. VIII.

The first Grant of Hen. VIII. had been made "to the intent and purpose that the said William, his heirs and assigns, might assign to and permit the Inhabitants of the town or demesne aforesaid, their heirs and assigns, dwelling or inhabiting within the said town or demesne aforesaid, to have and quietly to possess sufficient pasture and feed for their necessary cattle, and other the profits and commodities arising within the marsh or pasture aforesaid, according to certain laws, orders and constitutions which should be made and ordained by the said William or his heirs within five years next following, and approved and ratified by the justices of the said King or his heirs, who should for the time being be assigned to hold the assizes within his said county; which laws, orders and constitutions were to continue in force for ever."

Inquisition, temp. Hen. VIII. Forfeiture of the Fen to the Crown, for non-fulfilment of the Intent.

It was afterwards found by an Inquisition, recorded in Chancery, that the "intent and purpose in the said letters patent specified were not and are not observed or fulfilled according to the tenor and requisition thereof."

The Common or Fen, therefore, reverted to the Crown by Forfeiture.

The town, it appears, enjoyed at this time some sort of Municipality; there was a common council, consisting of two distinct orders, the twenty-fours and the forty-eights, who made orders and constitutions for regulating the fen, both in the time of Hen. VI. and of Edw. IV. But there is no evidence of Incorporation before the reign of Hen. VIII.

Incorporation of Inhabitants, by Letters Patent of Hen. VIII. A. R. 34.

In the 34th year of that reign the Inhabitants were incorporated by letters patent, and the forfeited fen was granted to the new Corporation. These letters patent are dated the 10th of March 1543.

Although Mr. Rede was no longer the trustee of the lands, he was still empowered, jointly with his son and Sir Richard Rich, knight, Chancellor of the King's Court of Augmentation, to make Rules and Constitutions for the management of the fen, and for the good government of the inhabitants. These rules were to be enforced in the Local Courts, which the charters directed to be held half-yearly before himself and then fen-reeves; and after his death, before his son; and after the son's death, before his heirs male. He and his family, with the fen-reeves, were also appointed surveyors of the fen for ever. There are still extant rules and constitutions, made by "Sir Rychard Ryche and Will'm Rede, marchante, and Thom's, his sonne, for the good order, rule and governance of Becclys Fen, beyng auctorysed thereunto by vertue of the Kynges letters patent, dated x Marche, xxiv Hen. VIII."

These rules appear to have been the cause of much dissatisfaction and much litigation.

Renewal of disputes between the Inhabitants and their late Trustee, and Petition to Lord Keeper, to appoint Persons to settle these disputes.

In 1576, Petitions were presented by the inhabitants to the Lord Keeper and the Justices Manwood and Monson, praying that they would be pleased, of their "goode disposicon to quietness, to make some good mocion, as occasion maye serve, that some men of wyrship, indifferently to be chosen, resiant within the counties of Suffolk or Norfolk, may have the hearing and endying of all matters between the said Mr. Rede and the said towneschip."

The result was, a case drawn up, by the direction of the Lord Keeper Bacon, for the opinion of the Justices Manwood and Monson on the power of the fen-reeves to grant leases without the concurrence of Mr. Rede. The justices decided that neither the fen-reeves nor Mr. Rede could legally grant leases, but that they should be made by the Inhabitants, under the common seal of the town.

These disputes continued for many years, and ultimately led to a surrender of the charter.

Complaint of the Inhabitants.

The Complaints of the Inhabitants are entered on the rolls of a fen court, held in the 18 Eliz., and are preserved among the records of the corporation.

The following is their statement of grievances: "Whereas divers suits and controversies have

have arisen betwixt William Rede, esquire, and the inhabitants of this toun, by reason that he made divers entries into parcels of Beccles Fen and the armytage, and diversly sett himself against the said inhabitants, and sought to have the chief government and disposition of the fen courts, and other business concerning the said fen, by color and pretence that William Rede, merchant, his grandfather, purchased the said fen and gave it to the town, which is untrue, as it is ready to be proved to the contrary, as followeth; and seeing the said matters have grown to some hearing, and received some determination, as also received opinion of law in divers points, it is thought good to the inhabitants to have those things, so far as they concern the fenn, truly set doun in the fenn book, as they have been and are still to be proved, for the better understanding of them that shall come after, and how Mr. Rede is to be allowed of concerning the fen.

"First, the town of Beccles, by the name of inhabitants, had Beccles Fen in fee-farm from the Abbot of Bury Saint Edmund's, before the suppression of the abbey, viz. x° die Maii, anno xxix Henr. Sext., paying a yearly rent of 6*l.* 13*s.* 4*d.*; so that no man could well buy the same of the King but the township.

"Immediately after the suppression, because they were not incorporated by that name, they thought good to purchase it again of the King; and so to make it sure to them and their successors for ever, and for the compassinge thereof, they did put old Mr. Rede in trust for the matter.

"Because they were uncertain what it should cost, they sold certain town land lying in Blofield, in Norff. whereof the said Rede, being very old, was the only feoffe, for the sum of 280*l.*, and certain church plate and guild plate, to the value about 103*l.*, which was all delivered to the said Rede.

"The said Rede, having delivered to him the old indenture of the fee-farm, did, by reason thereof, purchase the fen after 20 years' purchase, and paid but 120*l.*, and the tenth being 13*s.* 4*d.* (according to the meaning of the said indenture) and so is reserved in the letters patent.

"At the same time the said Rede's son, being one William Rede, of London, sought to purchase the manor of Beccles, whereof the fen was parcel, and obtained it; and old Rede, either in favour of the son, or else of some other corrupt mind, passed the book of the fen to himself and his heirs, contrary to the trust reposed in him, and would not let the townsmen see the book.

"About two years after the townsmen searched the roll for it, and took a copy out of the roll, and found the deceit, and then intended to complain of him to the King, and then he surrendered the letters patent, and passed a new book to the use of the inhabitants, and in that book advanced himself and his heirs males, as appeareth by the patent.

"Then the townsmen and he were at controversy for the overplus of their money that remained above the purchase and the charges, and then old Rede would have avoided them, because he, being the only feoffee of the land that was sold, said that it was his land, and therefore would yield no account. Then that controversy was ended by Sir John Jernegan, Knight, and two other justices in the country, and the matter set down under their hands, and Rede's eldest son's hand, by the assent of the said old Rede, whereby it appeareth that it was purchased with the town money.

"After the death of old Rede and Rede's father that now is, Sir Thomas Gresham married this Rede's mother, and got away the letters patent, and the common seal, and a book of the constitutions fair written, about which the town spent above 100 marks, and yet, by reason of friendship, could not get them.

"After, when the townsmen sued for an exemplification, Sir Thomas Gresham made means that they could not have it, and drew them to great attendance and expense, and trial of friends, before they could get it.

"This Rede made entry into parcel of the fen, being severed, and in the occupation of one Robert Sewell, the town's farmer, and brought action at common law, and proceeded to trial at the assizes, and these became nonsuited, and by other suits and forcible dealings made us spend about them 100*l.* at the least.

"Item, he gave out word that he might and would have the whole fen, if the town would not yield him a certain great quantity of the best, that is to say, as is reported, Crysbett Hill and Goose Green.

"Item, he sought to get the toun evidence into his hands, and to appoint his stewards to keep our courts, and to have the nomination of the fenreeves yearly, and pretendeth that he and his friends be dispunishable for their offences in the fen at his pleasing, and that he may increase penalties upon others.

"Item, he hath entered into a toun house and certain toun lands, and keepeth them with strong hand still; viz. the Spong and Swyne's Green."

These grievances were recorded at the Fen Court, held A. R. 18 Elizabeth.

Surrender to Queen Elizabeth.

Eight years afterwards, the fen, with all the corporate rights, was surrendered to the Queen by an act of the Inhabitants assembled at the church. The instrument of surrender was subscribed by the churchwardens and other inhabitants, and sealed with the common seal of the town. It is dated on the 25th day of January, A. R. 26.

Intent of the Surrender.

The object was to obtain a re-grant of the land, with a new Constitution for the town.

Release by the Redes to the Inhabitants of all interest in the Fen.

Up to this period the Redes had continued to preside in the Fen Court. By a deed, dated 4th March in this year, John Rede, Esq. of Weston, and Thomas his son and heir, released all their right and interest in the fen to the inhabitants of the town.

BECCLES.

Letters Patent of Elizabeth, A. R. 26.

On the 2d of July following, the Queen granted a new charter, by which the corporation was constituted in its present form, and the fen was given back to the Inhabitants to hold of the crown by the same tenure of fealty, and an annual rent of 13*s.* 4*d.*

At the time of making these letters patent, an order was made by "Mr. Justice Clynch, Sir Philip Parker and Mr. Ashfield, that no inhabitants should seek to weaken or hurt the new charter or corporation, or the reasonable proceedings thereof." This order, however, did not prevent an attempt to set aside the charter.

Attempt to set aside the Charter.

In 1586, two years after it was granted, a suit was instituted, by William Rede and others, against certain of the inhabitants, to investigate the letters patent originally made to the plaintiff's grandfather by Henry VIII., and to set aside those of Elizabeth. After several hearings, an issue at law was directed to try the validity of the charter.

Grounds of Complaint against the Corporation.

The plaintiffs objected to the new corporation, that it was not composed of the most ancient and best inhabitants of the town; that the taxation on the inhabitants for agistment was increased in consequence of the number of officers, and the fees granted to them; that the courts were held weekly, instead of half-yearly, as before; that the profits of the fen were not applied to the charitable provision of the poor, but to the pleasures of the corporation, in feasting and banqueting.

Decree of the Chancellor.

The Chancellor decreed, that the rate of agistment should be reduced to the former standard, of 4*d.* per head per annum; that there should be only one serjeant-at-mace; that courts should not be held weekly; that there should not be a common gaol for imprisoning the inhabitants; and he ordered that a more particular account of the appropriation of the profits of the Fen should be laid before him. It does not appear that any thing further was done.

Continued opposition to the new Corporation.

From some memoranda preserved by the town, and indorsed "Articles proving the contempt of Michael Harsault and his complices, agaynst the order taken by Justice Clinch and others, at Beccles, by the lorde's order," it appears that the new corporation continued to meet with active opponents.

"They have since put in articles of exception against the things then considered; they have slaundered the commissioners, and said they took no order; they have sought the good behaviour against 40 of the chief and ancionst men in the town, and divers of them stand still bound; they have said they will spend 500*l.* but they will overthrow the new charter, which is to be maintained *ex inevitabile necessitate*, for otherwise the town is utterly defeated, &c.; they have practised to stir up many rude men and women to make exclamations and to have come up to the court to explain, as the pursevant can witness that was sent for them, &c.; they seek to make mutiny in the town by raising false speaches and rumours in the country, as that the common should be converted to private men's profit by the procurers of the new patent, and the worshipful personages that were used therein. Since the order they have locked up some of the fen gates, and offered the breach of the peace," &c.

Commission to investigate Grievances.

These, however, were not the only disputes then distracting the town; the parishioners had quarrelled with their rector, and the inhabitants with the lord of the manor. To settle all these matters, a Commission was issued, authorizing Sir Robert Wringfield and others to act as arbitrators, and they delivered the following award:—

Award of Commissioners.

"Our right humble duty to your honors very humbly remembered, it may please the same to be advertized that by virtue of your honors, letters, directed to Sir Robert Wringfield and us, we met at Beccles, in Suffolk, on the 17th of April, when, having before us such persons as was necessary concerning the execution of your ho. commandment, we, examining the grievances amongst them, found a comendable proceeding in the government of the new corporation there to the allowance of all due right of commonage to every inhabitant with good foresight and regard for peaceable continuance, and yet we found great injuries offered to them by some ignorant persons in violent manner, one having hewed himself out of the gaol, and rescues made in time of our being there, besides divers other disorders which likely was through the evil instigation and payment of some enemies to the corporation; yet in the end they seemed to yield and embrace proceedings with promise of reformation and amendment of their former behaviour, which persuadeth us that the government there is like to proceed in peace; and further, whereby by virtue of the same your ho. letters, we are directed to the examination of certain troubles and molestations brought upon one Mr. Fleming, the minister, there we find the man to be of very good desert both concerning life and doctrine, and to have profited the people there very greatly; yet had he been much troubled by some sorry instruments issuing from the same spring, as we take it, for having him and them before us, they alledged no cause of offence, but rather justified the men and reconciled themselves to him, except one Harsault, whom we found factious, and a man utterly unworthy of any good allowance or regard amongst his honest neighbours; and further, as concerning the matters of hard dealing offered to the honest inhabitants there in ordering the matters of the manors of Beccles, we could not proceed concerning them, because the Lady Gresham and W. Rede, esq., her son, are the chief persons to be dealt withal in that behalf."

This award appears to have put an end to the opposition.

Confirmation of Charter by Elizabeth, A. R. 30.

In 1588, by the good offices of the Lord Keeper, the Queen ratified and confirmed her former Charter. This was done by letters patent made on the 3d day of February, A.R. 30.

In

In the year 1605, the Charter of Queen Elizabeth was confirmed by letters patent of James I., made on the 19th May, in the second year of his reign.

Confirmation by James I. A. R. 2.

In the same reign further attempts were made by the rector of the parish and another person to invalidate the charter, but without success. Some issues were also tried about the same time to ascertain the jurisdiction of the Portreeve, and it was determined that his authority extended only to the affairs of the fen, and to enforce the laws made for its government.

In 1652 the Portreeve was summoned to appear with the charters of the town before the Corporation Committee, then sitting in the Queen's Court at Westminster, in pursuance of an order of Parliament made in that year, "touching the alteration and renewing of the several and respective charters of this nation, when, after serious debate had thereon, it was judged most agreeable with and suitable to the government of a commonwealth, that they be held from and under the authority of the same." It is said that by the mediation of certain members, who were friends of the portreeve, he obtained an extension of the time fixed for attendance on the committee, and this extension was renewed, from time to time, under various pretexts.

Summons to Portreeve to appear before Corporation Committee in 1652.

A translation accompanies my Report.

The Charter of James I. is referred to as the present governing charter of the corporation.

The Corporate Body is formed of the Inhabitants of the Town. There is no body of Freemen separated from the rest of the Inhabitants, although the privileges of the fen are not shared equally by all. (*See* Commonalty.)

III. Corporate Body and its Constitution.

The Title of the corporation is "The Portreeve of the Fen of Beccles, in the County of Suffolk, and the Surveyors and Commonalty of the said Fen."

Title.

The Officers named in the charter are,

Enumeration of Officers.

A Portreeve (Prepositus).
Three Surveyors (Supervisores).
The first class or company, called the Twelve. } The Common
The second class or company, called the Twenty-four } Council.
A Common Clerk or Prothonotary.
Two Serjeants at Mace.

The officers not named in the charter are,

A Deputy Steward.
An Accountant.
An Auctioneer.

The Elections of the officers are made according to the following table:—

Election of Officers, and Qualification for Office.

Description of OFFICE.	BY WHOM ELECTED.	From what BODY.	QUALIFICATION.	PERIOD OF OFFICE.
Portreeve -	The Surveyors and Common Council.	The first class of the Council, called the Twelve.	Inhabitant, discreet man and householder.	"One year, or for any longer or shorter time, as the case shall require, and as to the common council, or to the major part of them, shall seem meet."
Surveyors -	Same - - -	One from the Twelve, the other two from the Twenty-four.	Same - -	Same.
The Twelve -	The Twelve - -	The Twenty-four	Possession or occupancy of lands or tenements in the town, of the annual value of 10*l.* at least.	Life.
The Twenty-four	The Portreeve and Council.	The Inhabitants		
Common Clerk, now called the Chief Steward.	The Portreeve, Surveyors and residue of the Twelve.	- - -	An honest and discreet man.	During the will and pleasure of the electors.
Deputy Steward	The Chief Steward -	- - -	- - -	During the pleasure of the chief steward.
Serjeants at Mace	One by the Portreeve, the other by the Portreeve and Surveyors.	The Inhabitants	- - -	One year.
Accountant -	The Council - -	- - -	- - -	During the pleasure of the council.
Auctioneer -	The Portreeve -	The Council -	- - -	One year.

The Officers comprising the Ruling Body of the corporation are the portreeve, surveyors, and members of the common council. The other officers are merely ministerial.

1. Officers comprising the Ruling Body.

The Twelve who are eligible to the office of Portreeve, are all elected in rotation. There is no deviation from this rule. The office is held throughout the year.

Portreeve.

BECCLES.

The portreeve is required to take an oath on the tenth day after his election, before his predecessor, or in his absence, before the surveyors, "well, truly and faithfully to execute and perform the said office in all things touching the same."

His duties are, as the head of the corporation, to preside at the council and at all corporate assemblies.

He has the power of holding a court of record jointly with others, and he is the keeper of the town gaol.

The management of the corporation property is under his control, and he is treasurer of its revenues. The council regulate his disbursements, and no payment exceeding 5 *l.* can be made without their authority.—[*See* Accountant, Audit.]

All the muniments of the corporation are in his custody, and he affixes their public seal. —[*See* Deputy Steward.]

He is a commissioner appointed in the Paving Act of the town and in the Beccles Navigation Act. Other functions he exercises jointly with other officers.—[*See* Portreeve and Surveyors, Ruling Body, Jurisdiction.]

He has no salary, and the only emolument of his office is an allowance of one guinea, in lieu of a pair of boots. A more liberal allowance was formerly made, and discontinued in consequence of the state of the corporate fund.

The expenses incident to the office are discretionary; but they are found to operate in deterring respectable persons from accepting a place in the council. The duties also are considered troublesome.

The only privilege of the portreeve is conferred by the following order made in 1822: "Ordered, That the portreeve for the time being shall have the use of the Assembly Room for the purpose of holding his feast therein, he taking every precaution to prevent as much as possible any damage to the room, by having the floor well covered with saw-dust, the curtains taken down, and the covers of the benches removed, and the tables not screwed or nailed to the floor. 10th April 1822." The importance attached to this privilege may be inferred from a previous order made in 1819: "Ordered, That in consequence of the large sum of money that has been expended in and about the Assembly Room, the same be henceforth kept entirely for the purpose of holding balls therein; and the portreeve for the time being is strictly enjoined to prohibit the use of it for any other purpose, or on any other pretence whatsoever.

This office is now held by a surgeon residing in the town, one of the principal inhabitants.

Surveyors.

One of the three Surveyors is called the Chief Surveyor, and the others are called the Under Surveyors, a distinction made in practice, but not in the charter.

The first is generally the most experienced officer, and is nominated by the portreeve. Although his election is annual, the same individual is re-appointed from year to year.

The others are the junior members of the company of 24, and one of them is usually re-appointed.

They are required to take an official oath on the tenth day after their election, before the portreeve and his predecessor, or, in the absence of the latter, before their own predecessors in office.

Their duty is, to assist the portreeve in the execution of his functions as well in holding the town court as in other matters.

In practice, the chief surveyor appears to be the active superintendent of the property. His allowance is the same as the portreeves; that of the other two is one-half.

Portreeve and Surveyors.

The Portreeve and Surveyors exercise the following joint functions.

They may call together the ruling body for the despatch of corporate business whenever they think proper. It is only necessary that two of the four should join in the summons.

They may fine and imprison in the fen gaol all persons dwelling in the town and commoning in the fen, who, after notice of their election, refuse to serve the offices of portreeve or surveyor, or those of the Twelve and Twenty-four.

They may hold a court jointly with the common clerk.—[*See* Jurisdiction.]

They are *ex officio* commissioners under the Paving Act of the town.

The Common Council.

The First Class, or Company of the Twelve, and the Second Class, or Company of the Twenty-four, constitute the Council of the town.

A Qualification for the council was established soon after the charter of Elizabeth was granted. That first established was under the following Order:—

"Item, that no p'son or p'sons shall at any tyme from henceforth be elected, chosen and sworne into the com'on counsell or companyes of the saide corporac'on but an inhabitant in Beccles, and such one as, at the tyme of his elec'con, shal be seised of landes and ten'ts in the saide towne to the value of three poundes per an'um at the leaste, or have dwelt within the saide towne of Beccles three yeares together next before his saide elec'con, and then seassed, or thought fitt to be seassed, in the King's subsidye, in goodes or landes, three poundes at the leaste, upon payne for ev'y one of the corporac'on that shall give his voice or make elec'con or chois to the contrary, x*s.* for ev'y tyme soe doing."

In 1752 a second order was made, "that from henceforth any person or persons who shall be an inhabitant and occupy or possess any lands or tenements in the said town of Beccles, of the yearly value of ten pounds, shall and may be elected, chosen and sworn into the

the common council of the said corporation, any law or order to the contrary thereof in any wise notwithstanding."

This is the present qualification. There is also an early law relating to the removal of the members.

"That such p'son or p'sons of the saide corporac'on that be or shall happen to be alehouse haunters, or otherwise of evill behaviour, shall be put out and removed from the residue of the company of the said corporac'on, and none such to be elected."

There is no political exclusion from these companies, and, since the repeal of the Test and Corporation Acts, no religious exclusion. A Dissenter has been elected without opposition.

One vacancy in the First Class has continued for more than three months. In the Second Class there is none.

It appears that several of the inhabitants have declined a place in the council, and the reason assigned is a repugnance to encounter the trouble and expense incident to the office of portreeve. The power given to the portreeve and surveyors, in case of refusal to serve after an election, has been stated. The last instance of punishment was in A. R. 23 Car. II., when a fine of 5*l.* was imposed for refusing to be sworn into the Company of Twenty-four.

The separate elective functions of the two classes, and their eligibility to other offices, are shown in the Table of Elections. Their joint duty is to aid and assist the portreeve and surveyors "in all matters, causes or things touching or concerning the fen."

2. The Ruling Body.

The portreeve, surveyors and common council, composing the Ruling Body of the corporation, are summoned by the portreeve and surveyors, in the manner before stated, to consult and determine "as well of and concerning the statutes, laws, articles, rules and orders touching the pasture and fen aforesaid, as also of and concerning the good rule, state and government of the commoners of or in the same fen, and of the members of the same fen, and of the disposition of the profits of the same fen, to be employed to the common benefit and utility of the inhabitants of the said town, and other pious and charitable uses in the same town, according to the sage discretion of them, or the greater part of them, for the time being, assembled."

All the members are summoned, and, to form a valid assembly, the portreeve must be present, with a majority of the council.

Attendance was formerly compelled by fines; but these are no longer exacted. An order, dated 17 Jac., requires the portreeve and surveyors "to come and sett in their place in a comely gowne befittinge his and their place and places, upon payne to forfaite 20*s.*, or be imprison'd until fine be pay'd."

Powers vested in this Body.

When assembled, they are empowered to make laws, orders and constitutions, according to their sound discretions, for the good rule and government of all officers and commoners of the fen in whatever concerns it; for the preservation and maintenance of the pasture, its ditches, trenches and fences; and for the disposal of the profits. To enforce these laws, and to make manifest how the portreeve, surveyors, common council and all other officers, resident inhabitants and members of the commonalty shall demean themselves in their respective occupations, offices and functions within the fen and town, or in commoning the fen; and for the general good, common utility and good government of the fen; the preservation and management of the lands and other possessions, with reference to the purposes for which they were granted; "and as to all other things, causes and matters whatsoever touching or in any wise concerning the said fen, or the present and future commoners in the same, in causes of the fen aforesaid," they are empowered to inflict upon all offenders against their laws and constitutions, discretionary Pains and Penalties, either by Imprisonment or by Fine, or by Exclusion and prohibition of Commoning in the Fen. All the fines and amerciaments they levy are granted to their own use. The only restriction imposed by the charter is, that a majority of the council, including the portreeve, must concur in awarding the punishment.

Laws and Ordinances.

In pursuance of these powers, a body of laws was drawn up in the reign of Elizabeth and James I., many of which are still in force. They are headed, "A Collection of divers Public Lawes, Ordinances and Constitutions, made, set down, agreed upon and published by the corporation or common council of the said fen for the time being, concerning the good government of the same, from the 27th day of March, which was in the 27th year of the reign of the late Queen Elizabeth, 1585, until the 28th day of September in the 10th year of our most gracious and sovereign Lord James, by the grace of God of England, France and Ireland King, Defender of the Faith, and of Scotland the 46th, 1613; which laws, ordinances and constitutions, at an assembly holden within the Guildhall in Beccles by the corporation and common council of the said fen, the day and year last rehearsed, now again fully agreed upon, ratified, confirmed and published; and the reisdue repealed."

These laws establish the qualification for members of the corporation; limit the numbers of the commonalty who are entitled to common the town lands; regulate the proceedings of the fen court, and all that relates to the management and commoning of the fen; fix the gaoler's fees, and the time for auditing the accounts.

The punishment inflicted for disobedience was generally fine or imprisonment, at the choice of the offender.

The following law was made for the protection of the corporate officers:—"That if any person at any time hereafter doe manace, threte, brawle or otherwise abuse by word or deed, the portreeve, surveyors or any other officers of the said fen for the time being, or any

BECCLES.

any one of them, at such time as they the said officers, or any one of them, is or shall be about the executing or exercising of his or their several office concerning the said fen, he shall forfeit for every time so offending 5*s.*; and that if any person shall, either in word or deed, abuse the said portreeve and surveyors, or any of them, for doing their office or offices well and faithfully, according to the letters patents and constitutions made for the good government of the said fen, that every person so offending and convicted by jury shall be discom'oned, or suffer imprisonment by the space of three days, the choice to be in the offender."

For disclosing of counsel: "Item, that if any one of the said corporation shall at any time hereafter disclose any thing spoken or done at any assembly of the said corporation about the good government of the said fen, or that if any person serving upon any inquest concerning the said fen, do disclose his fellow's counsell or his owne, then every such person offending in either sort as aforesaid shall forfeit and pay 10*s.*, or be discom'oned for one whole year then next following, at the choice of the offender."

Standing Orders.

Besides these laws and constitutions, some of which will appear in the course of the Report, there are Standing Orders for the management of ordinary business. Among these orders is one, "that every member who has it in contemplation to make a motion to the corporation, do give notice of such intended motion at a meeting previously to making the same, except in cases where the business may be deemed by the corporation of so urgent a nature as to require its immediate discussion."

Committees.

Committees are occasionally appointed.

In 1825 a Committee was appointed to make regulations for the feeding and depasturing of cattle on the common. Their Report is now the law of the fen.—[*See* Commonalty and Common.]

In 1831, a Finance Committee was appointed to ascertain what reduction could be made in the expenditure. Their Report was adopted.—[*See* Expenditure.]

In 1832, a committee was appointed, to contract for the works necessary in forming a new dock and quay, and to superintend their progress.—[*See* Expenditure.]

Public Meeting of Inhabitants called by the Ruling Body.

In 1830, a Public Meeting of the Inhabitants was called by the corporation, for the purpose of ascertaining the feeling of the town on the subject of an important local Act then under consideration. The question was, whether they thought it advisable to apply to Parliament for the present Beccles Navigation Act. This is an Act for making the River Waveney navigable for ships and other sea-borne vessels, from Rosse Hall Fleet to the mouth of Oulton Dyke; and for making a navigable cut from the river into the dyke. A celebrated engineer had been previously consulted by the council, and under his sanction they recommended the application to Parliament. The meeting was called on the 7th October, and it was almost unanimous in adopting the recommendation of the council. On the 1st February 1831, the Act was applied for. While it was in progress, some change, it appears, took place in the opinion of the town with regard to the necessity or utility of such an Act; but a considerable part of the expense was already incurred, and the council proceeded in carrying it through. The cost of this Act was 1,139*l.*, including the payments made to the engineer; and the whole was defrayed by the corporation, who borrowed money for the purpose.—[*See* Debts.]

All that relates to the management of the fen and town property, and the expenditure of the revenues, will be stated under the heads of Property and Expenditure.

3. Ministerial Officers.

Common Clerk.

The office of chief steward, called in the charter Common Clerk and Prothonotary of the fen court, is now held by the Earl of Gosford, and has generally been held by some distinguished person in the neighbourhood of the town.

His duty is to attend the corporate assemblies, and record their proceedings.—[*See* Jurisdiction.

This duty he performs by deputy.

Deputy Steward.

His Deputy is a resident solicitor, and an attorney of the superior courts. There are two standing orders of the corporation relating to his office:—

"Ordered, That the portreeve for the time being shall not affix the seal of the corporation in future to any instrument which is not prepared by the deputy steward of the corporation. 27th March 1809."

"Ordered, That all legal business, of whatever description, in which this corporation is in any manner concerned, shall from henceforth be transacted by the deputy steward for the time being of this corporation, who shall in such cases be considered as the solicitor on the part of the corporation. 6th April 1815."

His salary is ten guineas a year, besides fees for conducting the legal business. The amount of his incidental emoluments, on an average of 20 years, is estimated at 62*l.* 15*s.* 6*d.* a year; but this sum includes repayments for stamps, which amount to one-third of the whole.

The Serjeants at Mace, are publicly sworn before the portreeve on the 10th day after their elections.

Their functions are to attend the portreeve upon any matter relating to the fen; to execute all

all process of the corporation; to impound cattle straying on the lands; to serve the summons to all corporation assemblies, and to be in attendance at those assemblies. Serjeants-at-Mace.

They receive a joint salary of three guineas; one guinea in lieu of their privileged feed on land called the Causeways; one guinea for cleaning the Town Hall; and two shillings for locking and unlocking gates annually between them.

The Accountant keeps the portreeve's accounts of receipts and disbursements, for which he receives a salary of ten guineas a year. Accountant.

An Auctioneer is appointed to let the corporation lands, and he receives a salary of three guineas a year. The same individual is usually re-appointed. Auctioneer.

All the officers are required by the charter to be resident inhabitants, except the common clerk; and the charter is punctually followed. Residence of Officers.

They are all removeable by those who elect or appoint them. Amotion of Officers.

35. The privileges of the Commonalty, and the practical limitations given to the meaning of the term, will be seen in the following regulations. The Commonalty, and their Privileges.

In the proemium to that collection of laws already referred to, the right of all the Inhabitants to be commoners in the fen, subject to the orders of the council, is fully recognized.

"Imprimis: for soe much as all th'inhabitants of the town of Beccles are and oughte to have com'on of pasture, and to be comoners in the said fenne called Beccles Fenn, accordinge to such orders and constituc'ons as are and shal be sett down by the com'on counsell of the said fenne, and not otherwise; it is by the same counsell ordered, that no cattall or com'onable beaste be putt into the said fenne or any parte thereof, other then into such parte as is or shall be severed and letten to farme, but in such manner and order as in this present booke nowe are or hereafter shall be sett forth, published and declared, upon the sev'all penalties in that respecte hereafter ensuynge."

It is then ordered, "That ev'y owner of landes or tenements within the saide towne of Beccles, being an householder and dweller within the saide towne (and no sojourner) that payeth taske to the king for his said landes and tenements, lying in the said towne, may lawfully com'on in the said fenn:" and a stint is established.

Another law of the same early date anticipates the probable consequence of such a privilege in attracting paupers to the town. The law is this—

"That if any p'son or p'sons at any tyme hereafter shall take in, or place to dwell, in any howse or howses situate in the said towne of Beccles, any p'son or p'sons which be unable p'sons to manteyne themselves, or in any sort to be chargable to the said towne, w'ch now be not, or w'ch before the tyme of such taking in shall not be inhabiting within the saide towne of Beccles, that then neither the p'son or party soe taking in or placing any such p'son or p'sons to dwell in any such howse or howses in the said towne, nor any such p'son soe taken in as is aforesaide, shal be p'mitted to take any benefitt of the said fenn, by the mouth of his or their beast, or otherwise, without the especiall licence of the portreeve and surveyors of the saide marishe for the tyme being, first had under their hands, but shall from thenceforth be discom'oned untill they shall obteyne such licence; and that ev'y such p'son being a stranger as is aforesaide that have been taken into this towne within six moneths nowe last past, shal within one moneth next after the feast of Saint Michaell the Archangell, now next comyng, departe from dwellinge in the said towne upon the like payne as is aforesaide, without the like licence as is aforesaide, as well to the taker in of ev'y such p'son, as alsoe to every such p'son soe taken in, any constituc'on or ordynance heretofore made to the contrary in any wise notwithstandinge: Provided alwayes, that this constituc'on shall not extende to any p'son from comyng in the said marishe, which shall come to dwell in the said towne in his owne house, wherein at the tyme of his comyng, he shall have an estate of inheritance or of freehold at the leaste."

A recent order extends the privilege of depasturing stock to every householder of the town. This extension was recommended by the committee appointed in 1825 to frame new regulations for the common.—[*See* Property, Common.]

The charter grants a Court of Record, intituled, "The Beccles Fen Court," to be held within the fen or town every Tuesday throughout the year. IV. Jurisdiction. Court of Record.

The officers appointed to hold it are, the portreeve, surveyors and common clerk, or two of them; the portreeve, or the common clerk, either by himself or by deputy, being one of the two.

This court has cognizance of such pleas and plaints only as concern the fen, or the ordinances and statutes relating to it.

The fines and incidental profits are given to the corporation.

Among the laws and ordinances of the town relating to this court, are the following:— Ordinances relating to the Court.

"Item, that it shall be lawfull for the portreeve and surveyors, and the officers that are appointed by the charter, to keepe court and holde plea, to cause an inqueste of twelve or

BECCLES.

mor of the inhabitants to be sum'oned and returned by the sergeants, or one of them, to appeare at the court, there to be sworne and charged to enquire and make p'sentm't of the breach of any of the constituc'ons, lawes and ordynances, and such other things neecessarye to be enquired of and p'sented, as the charter will allowe to be done, and this soe often as shall seme needefull."

"Item, that all offences made or don to the breach of any constituc'on, lawe or ordynance made for the government of Beccles Fenne shall be adjudged by the courte of the said corporac'on, upon the p'sentment of xii persons, or more, of the said inhabitants, being sworne to inquire of the saide constituc'ons, lawes and ordynances broken, and the same p'sentmente to be sett downe in the courte books, and the same to be discussed and adjudged onely at the court of the corporac'on concernyng Beccles Fenne; and all other offencs don against the corporac'on and good government of the said fenne, and not founde, by p'sentment, to be adjudged and ordered by them according to the authoritye given by the l'res patents."

"Item, that when and as often as any some or somes of money shall growe or become due to be paide by any p'son or p'sons to the use of the saide corporac'on by vertue of any of the constituc'ons aforesaide, either for the geistment or trespass of any cattall whatsoever, or otherwise, for any fyne, payne or amerciam't forfeited or lost for or by reason of any offence com'itted against the forme of the said constituc'ons, or any of them, that then and soe often after p'sentment made by the jury aforesaide, it shal be lawfull to the serjants for the time being, and to either of them, by the com'andment of the said portreeve or surveyors for the tyme being, or any twoe of the saide surveyors, to distreyne the beasts, cattall or goods of ev'y such offender, debter or trespasser being founde in the said fenn or towne of Beccles, and the distress and distresses then soe found and taken to drive, carrye awaye, impounde, detayne and keepe, until such debtor, trespasser or offender shall have payde and satisfyed to the said portreeve, surveyors, or to one of them, or to the said serjants, or one of them, all such some or somes of money as shal be due to be payde or forfeited in forme aforesaide; and that the portreeve, surveyors or serjants, and ev'y of them that soe shall receave or take any some or somes of money, shall thereof make their accompte at the awdit day before sett downe, according to the saide constituc'on made and p'vided for the said awditt."

The penalty for pound breach was a fine of 20*s.* or imprisonment for a week, at the choice of the offender.

The common clerk was authorized, upon taking sufficient surety, to grant replevin, and the party then presented his suit in the fen court.

The trials were by jury, according to the following law:—

"That as well for triall of issues arisinge in the said courte, as alsoe by inquisc'on of the breache of any of the constituc'ons, lawes and ordynances made concerning the government of the saide fenn to be tryed and inquired by 12 men, the judges of the same courte may likewise cause a jury to be returned of the inh'itants for the same purpose, to appeare and to be charged, as the cause shall require. In which cawses it is ment that some one of the 14 shall be appointed for the foornan, to be sworne upon ev'y such jurye, and in cause of weight one of the twelve, not being at that time in office, if the judges of the courte soe see it convenient."

All the inhabitants are bound to serve as Jurors, if they are summoned. The penalty for not serving, if sent for by the court, was a fine of 2*s.* 6*d.*, or imprisonment for two days, at the choice of the offender.

The serjeants-at-mace served the summons and executed process.

Disuse of the Court.

It is now nearly a century since the court was held. The last sitting was in 1741. No reason was assigned for its discontinuance.

Police.

The town is without any regular Police, and this is a subject of complaint. At present, besides four parish constables, there are three night watchmen, appointed by the paving commissioners. Last year there were no watchmen.

The expense was formerly defrayed by the corporation; this ceased in 1830.—[*See* Expenditure.]

Gaol.

The corporation are empowered by their charter to have a gaol within the town or fen, "to retain and imprison therein the body and bodies of such person and persons as shall be committed or imprisoned for or about any causes, matters or things touching or concerning the fen," and the portreeve, or his deputy, for whom he is made responsible, is appointed the keeper.

The gaoler's fees are regulated by an ancient law; but, with the court, the gaol has fallen into disuse.

Poor.

The corporation hold property in trust for the Poor, but they have nothing to do with the management of paupers.—[*See* Hospital Lands.]

V. Property.
1. Lands.

The revenues of the corporation exceed 1,100*l.* a year. They are principally derived from the land which was granted by the charter of Hen. VIII. Of the 1,400 acres originally granted, 940 A. & 14 P. still remain in their possession.

The

The greater part of it is now occupied under leases, or from year to year. The following statement shows the present distribution:—

EXTENT.	OCCUPATIONS.	RENT or PROCEEDS.
A. R. P.		£. s. d.
252 – 27	Marshes occupied by tenants under leases for 10, 11, 12, 14 and 21 years	514 15 –
	A single lease of 1 A. 1 R. 14 P. was granted in 1796 to Rev. Dr. Owen for 50 years, and another of 4 A. 2 R. 10 P. to Rev. R. Rede in 1797 for 99 years.	
	A few acres have been converted into meadow, garden and arable lands; viz.	
	Meadow – 1 1 14	
	Garden – 5 1 32	
	Arable – 3 3 27	
	10 2 33	
509 – 10	Marshes annually let by auction in 120 lots	531 12 –
38 3 3	A marsh annually let by auction, in lots of an acre each	89 10 –
16 3 23	Rands and walls, also let in lots every year	
	These are the proceeds of the growing crop.	
2 1 2	Five plots of ground, two of which are 60 feet wide, and the others 40 feet wide, situate on the south side of the New Dock, are let to as many tenants, for terms of seven and fourteen years	29 5 –
	These, with two other plots shortly to be let, and the dock and wharf, were lately a marsh, 2 A. 1 R. 2 P. in extent.	
	Cottage	1 6 –
	Ancient payment for property unknown	– 11 –
	For a marsh now lost	– 13 6
98 2 19	Open land used in common by the inhabitants for depasturing their cattle.	
7 – 10	A growing plantation.	
15 1 –	Area occupied by roads and drains.	
940 – 14	£.	1,167 12 6

SUMMARY.

819 – 25	Land occupied under leases, or from year to year	1,167 12 6
98 2 19	Common.	
7 – 10	Plantation.	
15 1 –	Roads and drains.	
940 – 14	£.	1,167 12 6

Leases.

One of the old laws made in the time of Queen Elizabeth, orders "that no lease of any part of the said fen ground shall at any time from henceforth be made without the consent of the greater number of the common council of the said fen, and those to be made all in one form under a rule drawn of purpose, with provisoe for the payment of their fermes of rent, and keeping of ditches, and preserving the wood and osiers."

Since 1817 the lands have all been let by auction, and the highest bidder is required to pay the first year's rent in advance. Several members of the corporation are tenants.

The lease in 1797 to the Rev. R. Rede for 99 years was granted on terms very favourable to this clergyman, who was then the portreeve and an influential person in the council. It is described as an improvident grant.

Common.

The right of common on the open land is limited by the following regulations recommended by the committee before mentioned, and adopted by the council:—1. "That every householder of the town of Beccles should have the privilege of feeding and depasturing any number of cattle or stock on the Common Hill, not exceeding six, gratis.

2. "That no such householder shall take in the cattle or stock of any other person not being a householder to agist on the said hill.

3. "That

BECCLES.

3. "That the owner of every beast depastured thereon, not belonging to such householder, and of every beast above six belonging to such householder, shall forfeit and pay 10*s.* per head for the same, when and as often as they shall be discovered on the said hill.

4. "That no person shall be allowed to turn into the said hill any hogs or swine, under the penalty of 10*s.* per head.

5. "That the hill be strictly watched, and that the portreeve for the time being shall cause the stock on the said hill to be driven and identified as often as he shall deem it expedient; and that any person giving information to the portreeve of any householder having more than six head of stock, or any hogs or swine, or of any stock not belonging to a householder in Beccles being depastured on the hill, shall, on such stock being identified, be entitled to half the fine payable for the same."

Every Householder therefore is now entitled to the use of the common. The present number of houses within the precincts of the town is 885.

Hospital Lands.

In addition to the Fen property, the corporation possess an estate called the Hospital Hill; a lease of the Tolls of markets and fairs; Stock in the public funds; and Public Buildings in the town.

In the year 1673, they petitioned King Charles II. for a grant of the lands belonging to the hospital of Saint Mary Magdalene and Saint Anthony, in Beccles, that the profits might be applied to the use of the poor inhabitants of the town; and through the interest of the Bishop of Norwich and Sir John Pettus they obtained it, subject to a small reserved rent of 4*s.*

The rents and profits were exclusively appropriated by the grant to "the maintenance of the poor within the corporation."

The corporation consider that these rents and profits were intended for the use of the poor of the town, although the grant makes use of the word "corporation." Until 1684, their account of the receipts was kept distinct from the general account. In that year a parish workhouse was erected, and a part of the corporation income, including, it is said, the profits of these lands, were ordered to be applied to the maintenance of the poor.

On the 31st March 1788, a lease was granted to Mr. Rede of these hospital lands, called the Hospital Hill, which is there stated to contain four acres, and a messuage, with other buildings adjacent to the land, were included in the lease. The term was for 200 years, commencing from the 5th July following; the rent 13*l.* a year. The lessee undertook to pay the small fee-farm rent due to the Crown, and a quit-rent to the manor of Barsham, amounting together to 4*s.* 8*d.* a year. He had a power to take down the buildings then standing, and he covenanted to leave, at the end of the term, houses or other buildings to the value of 200*l.*

This grant is admitted to have been very improvident. The tenant who obtained it, Mr. Rede, was a member of the council and deputy steward. At that time the property was let for 14*l.* 15*s.*, and the value of land was increasing. He obtained it for 200 years at a reduced rent.

The property now consists of a mansion, with garden, pleasure grounds and lawn, extending over 3 A. 1 R. 5 P. Independently of the tenant's outlay, the land itself is very valuable, from its situation.

An ancient Rent of 16*s.* a year, issuing out of lands at Barsham, occupied by the Rev. A. J. Suckling, lord of the manor, is received by the corparation, in right of the same grant from the crown.

2. Tolls.

The Tolls of the markets and fairs of Beccles are held by lease from the lord of the manor, for 12 years, from 11th October 1829, at a rent of 5*l.* per annum.

The market has been thrown open by the corporation, but they still take toll for stallage, amounting last year to 6*l.* 10*s.* 7*d.*

3. Stock.

The Stock in the Public Funds amounts to 498*l.* 2*s.* 2*d.*, Three per Cent. Consols, which has been purchased at various times since 1825, and stands in the name of four trustees.

This is an accumulating fund, for the purpose of purchasing lands equal in quantity and quality to the lands alienated in 1809.—[*See* Alienations.]

4. Public Buildings.

The unproductive property consists of the following public buildings:—A shire or town hall, formerly a market cross, used by the justices at quarter sessions, and by the corporation, for their assemblies and business. The corporation pay one-third of the repairs. This hall was acquired by a grant from the lord of the manor of Beccles, dated 1st August 1766, which was made to trustees, for the use of the justices and corporation.

An assembly room in the town, acquired by lease from the feoffees of the Beccles town lands, dated 1st October 1785, for a term of 200 years, at a ground-rent of 1*s.* per annum.

A card room adjoining, which was erected by agreement over a tenement built upon land of the same feoffees, in lease for 99 years from 30th April 1786.

The contingent receipts of the last year will appear in the following summary.

Summary

Summary of Receipts in the year ending 11th April 1833:

Summary of Receipts.

	£.	s.	d.
Rents - - - - - £.1,123 18 6			
Arrears - - 32 2 -			
	1,156	-	6
Tolls - - - - - - - -	6	10	7
Dividends - - - - - - -	14	18	10
Fines - - - - - - - -	-	12	6
Loan - - - - - - - -	300	-	-
Payment by parish of Barsham towards engine -	-	10	-
£.	1,478	12	5

The rents still in arrear amounted to 28 *l.* 5 *s.*

Permanent Annual Charge.

The Income of the corporation is charged with an Annual Payment of 3 *l.* the Legacy of Robert Girling, formerly portreeve of the town.*

In 1676 the corporation ordered—"That the will of the said Robert Girling (so far as concerns the gift of 50 *l.* aforesaid) should be entered verbatim amongst the records belonging to this corporation, and there to remain open, that thereby future ages may take notice of the charitable act, and praise God for so noble a benefactor."

Debts.

The following table shows the Debts of the corporation; the purposes for which they were incurred; the interest or annuity paid; and the security given.

When incurred.	Amount received.	Interest or Annuity paid.	Age of Annuitant.	Security.	Application of Money received.
	£.	£. s.			
1786	625	31 5	- - 17 nominees still living, ages not known.	- - A tontine bond, in 25 shares, of 25 *l.* each.	To erect an assembly room and theatre.
1820	500	25 -	- - 42 nominees still living, ages not known.	- - A tontine bond, in 50 shares of 10 *l.* each.	To repair, improve and furnish the assembly room.
1830	500	20 -	- - -	Bond - -	To pay off a balance of 239 *l.* 3 *s.* 1 *d.* due on the portreeve's account, and to raise a fund to meet disbursements, without having recourse to a loan from the bankers.
1831	1,200	48 -	- - -	Bond - -	To defray the costs of obtaining the Beccles Navigation Act, which empowers the commissioners to repay the corporation out of the river dues.
1832	300	12 -	- - -	Bond - -	To defray the expense of making a new dock and wharf, for the accommodation of sea-borne and other vessels navigating to and from the sea at Lowestoft and Beccles Bridge.
1833	1,500	60 -	- - -	Bond - -	Same.

The present Debt therefore consists of a Principal sum of 3,500 *l.* on which four per cent. interest is paid, and terminable Life Annuities, amounting to 56 *l.* 5 *s.*

The

* *See* 22d Rep. of Charity Commission.

BECCLES.
Expenditure.

The Expenditure of the last year 1832–3, is arranged by the accountants under the following heads.

Summary of Expenditure in 1832–3.

	£.	s.	d.
Balance of previous year paid to the late portreeve	102	16	9
Salaries of corporate officers	32	13	6
Rates: Poor, and in aid of the poor	406	7	2
Church, and in aid of the church	78	3	8
Composition	19	11	1
Labour and expences upon the fen lands	302	19	9
Payments on account of old Tontine £. 27 9 4			
new Tontine 4 10 5			
	31	19	9
Contingent expenses	182	15	7
Labour, materials and other expenses in forming the new dock and quay	1,467	10	7
Interest and commission on banking account £. 30 12 1			
Bills for beer at third letting of marshes 1 5 –			
	31	17	1
£.	2,656	14	11

1. Salaries.

Salaries to corporate officers. These have already been enumerated.

2. Poor-rate, and in aid of the Poor.

Poor Rate, and in aid of the Poor. This head comprises the following payments:—

	£.	s.	d.
Poor-rate	293	6	5
Coals for the poor	65	3	9
Money in lieu of bread	17	10	–
Calves Hurn	18	–	–
Subscription to national school	5	–	–
to dispensary	5	5	–
to Norfolk and Norwich hospital	2	2	–
£.	406	7	2

3. Church Rate, and in aid of the Church.

Church Rate, and in aid of the Church, viz.:

	£.	s.	d.
Church rate	27	18	8
Organist's salary	40	–	–
Tunist and blower	5	–	–
Singing boys	5	5	–
£.	78	3	8

4. Labour, &c.

Labour and expences upon the fen lands; viz.

	£.	s.	d.
Various payments for bottomfying, drawing and cleansing the dykes and other labour	171	2	10
A moiety of the cost of a sluice put down in a dyke called Worlingham Fleet	1	1	–
Expense of prosecutions for damage to the plantations on the common; viz.			
Deputy Steward's bill £. 48 9 6			
Clerk of Peace's bill 6 16 6			
	55	6	–
Valuation of trees, &c. on the expiration of a lease	29	3	–
Tradesmen's Bills; viz.			
Carpenter £. 15 12 7			
Blacksmith 7 12 10			
	23	5	5
Seeds	6	–	–
Survey of lands	2	–	6
Sundries	5	1	0
£.	302	19	9

5. Interest and Annuities.

Payments on account of Old and New Tontine. These have been explained.—[*See* Debts, *supra.*]

6. Contingent

Contingent Expences. These are,

6. Contingent Expenses.

	£.	s.	d.
Girling's Legacy [*See* Charges]	3	–	–
Interest on bond debt for 1,200 *l.* for half a year £.24 – –			
Ditto - - - - - - 500 *l.* for a year - 20 – –			
	44	–	–
Rent of Market	5	–	–
Stall House	2	–	–
Deputy Steward's bill	24	–	–
Annual payment for keeping the flag pavement in repair	10	–	–
Ditto - - to Scavengers	10	–	–
Ditto - - to Clerk of Market	7	–	–
Insurance	2	17	–
Paving Rate	1	–	–
Crier	1	7	4
Enginemen	3	16	4
Subscription to the Reform Committee	20	–	–
Tavern Expenses £.12 9 8			
Ditto 3 15 –			
	16	4	8
Various bills	32	10	3
£.	182	15	7

New Dock and Quay. The following are the principal sums comprised in this charge :—

. New Dock and Quay.

	£.	s.	d.
Excavation and tradesmen's bills	640	–	9
Work contracted for	529	–	2
Dams and other work preparatory to excavation	99	8	5

The remainder is the amount of various bills for labour and materials.

It is said to be the duty of the chief surveyor to examine the bills, and ascertain that the charges are fair. I do not, however, find that the bills for the work done at the New Dock and Quay were examined by that officer. A committee had been appointed to superintend these works, and he supposed the committee would control the payments. The bills, however, do not appear to have been examined by any member of the committee, nor, as far as I could learn, by any member of the council; but they passed.

The account of the year stands thus :—

Deficiency.

	£.	s.	d.
Receipts	1,478	12	5
Expenditure	2,656	14	11
Deficiency £.	1,178	2	6

The deficiency was made up by a loan of 1,500 *l.*, which appears among the existing debts.

Town Expenses paid by the Corporation till 1830.

Till the year 1830, the corporation paid either the whole or a part of the annual expense of Paving, Lighting and Watching the town.

The sums contributed for these objects during the 20 previous years were as follows :—

	£.	s.	d.
1811 : Lighting	101	19	–
1812 : Ditto	110	–	–
1814 : Subscription to lighting	50	–	–
1815 : Ditto	50	–	–
1819 : Lighting	128	5	9
1820 : Lighting and watching	178	16	–
1821 : Ditto	219	14	–
1822 : Watching	17	–	–
1824 : Subscription towards lighting and watching	50	–	–
1826 : Lighting and watching	211	3	3
1827 : Ditto	127	15	9
1828 : Ditto	242	13	3
1829 : Ditto	272	11	10
1830 : Ditto	259	13	1

In 1830 this head of expenditure disappeared.

A rate is now levied on the inhabitants for the same purposes under a local Act of Parliament, and the amount raised under this Act in the present year was 227 *l.* 18 *s.* 7 *d.*

BECCLES.

Extraordinary Expenditure.

The following is an Abstract of the Extraordinary Expenditure during the last 50 years:—

		£.	s.	d.
1783:	Part payment of a debt of 187*l.* 10*s.* due to the Free School	127	–	–
1788:	Building Assembly-room and Theatre (besides 625*l.* raised by tontine bond)	11	14	4
	Discharge of principal and interest on two corporation bonds	135	8	9
1789:	Fire-works on King's recovery	5	5	–
1790–1:	Repairing church organ	8	1	–
1793:	Payment to ringers at a constitution meeting	2	2	–
	Payment to publicans towards relieving their expenses of soldiers	21	–	–
1794:	Irons for Free School pump	6	16	5
1795:	Remaining part of bill for organ	44	15	–
1796:	Soliciting Beccles Paving Act	333	–	–
	Principal and interest on bond (application of money not known)	163	10	–
1797:	Bond debt (application of money not known)	103	10	–
	Ditto, raised for relieving the poor on account of dearth of provisions	110	8	4
	In aid of poor's rate	17	10	–
	The contribution of the corporation for the defence of the country	210	–	–
	Balance of race account	11	5	–
1798:	In aid of poor's rate	70	–	–
1799:	Ditto - ditto	70	–	–
	To make up deficiency of subscription by inhabitants for clothing and training volunteer corps	40	–	–
	Assembly account	15	4	2
1800:	Discharge of bond given in 1795 to raise money for repairing organ	200	–	–
	In aid of poor's rate	70	–	–
	For the use of volunteer corps	40	–	–
1801:	On account of poor's rate	200	–	–
	In aid of ditto	135	–	–
	Two year's balance on race account	27	18	11
1802:	Towards new fire-engine	60	–	–
	In aid of poor's rate	400	–	–
1803:	On army account	81	–	–
	In aid of poor's rate	400	–	–
	On parish account	180	–	–
1804:	For the use of volunteers	100	–	–
	In aid of poor's rate	520	–	–
1805:	Ditto - ditto	520	–	–
	On account of paving the town of Beccles	250	–	–
	On celebrating battle of Trafalgar	5	5	–
1806:	On account of races	40	–	–
	In aid of poor's rate	130	–	–
	On account of paving	70	–	–
1807:	On account of church rate	150	–	–
	On account of paving	220	–	–
	For translating charter	15	15	–
	On account of paving	65	5	–
1808:	Payments to churchwardens in aid of their rate	150	–	–
	Flag for steeple	6	–	–
	On account of paving the town	3,030	10	–
1809:	Payment to churchwardens in aid of their rate	150	–	–
	For engines	13	18	–
	On account of paving	104	7	9
1810:	Payment to churchwardens on account of their rate	150	–	–
	In aid of poor's rate	500	–	–
1811:	Payment to churchwardens on account of their rate	150	–	–
1812:	Ditto - - - - ditto	150	–	–
1813:	Local Militia rate	4	4	–
1814:	Ditto - ditto	8	3	5
	Subscriptions to a festival for the poor, on a general peace	150	–	–
	Balance of race account	45	8	10
1815:	To serjeant-at-mace, for loss out of pocket-book of cash received for rents	10	–	–
1816:	In aid of subscription for relieving the poor	100	–	–
	On account of plantation on common	152	11	6
1817:	Race stands sold in November 1818 for 57*l.* 16*s.*	100	–	–
	On account of plantation on common	81	9	1
	Flag for the steeple	6	–	–

BECCLES.

		£.	s.	d.
1817:	In discharge of two debts; viz. 300*l.* borrowed on bond to defray the expense of soliciting Paving Act in 1797, and 200*l.* for cost of organ in 1795	500	–	–
1819:	Repairing and furnishing Assembly-room	714	16	10
1820:	Ditto - - - ditto	53	2	8
1821:	For regaling the poor on the coronation of King George IV.	20	–	–
1823:	Collation to the Bishop on consecrating new burial ground	14	18	–
1824:	Paving the town (This sum was borrowed at interest on bond in 1805.)	2,900	–	–
1826:	Printing 250 copies of charter	35	10	–
1827:	Surveying river, and making estimate and report of the expense of making it navigable for sea-borne vessels	43	–	–
	Notes on translation of Charter	7	6	–
1828:	Repairing and altering organ	80	–	–
1829:	Widening and improving Bridge-street	97	–	–
	Printing Mr. Cubitt's report and estimate of making river navigable	12	10	–
	Repairing engine buckets	3	6	–
1830:	Repairing organ	50	–	–
	New flag for steeple	5	12	–
	One-third of expense of repairing Town Hall, and of new deed of trust	39	19	10
	Survey and plan of Beccles navigation	20	–	–
1831:	Balance of bill for repairs to organ	15	–	–
	Repairs of engines	15	–	–
	Subscription for regaling the poor on the coronation of His present Majesty	20	–	–
	Costs of obtaining Beccles Navigation Act	1,139	13	6
1832:	In aid of subscription for regaling the poor, to celebrate the passing of the Reform Bill	20	–	–
	New dock and wharf	1,467	10	7
	Prosecuting eight offenders for setting fire to plantation on race ground	55	6	–

Finance Report.

The appointment of a Finance Committee in 1831 has been mentioned. The Report of this Committee, which was adopted by the corporation, shows the spirit of economy and retrenchment which prevails in the management of the town property.

The committee reported, that they had carefully examined the receipts and disbursements for five years, beginning in April 1826; to which period they had been obliged to confine themselves, from the circumstance of the accounts having previously been kept in a less classified state.

They found that although a debt of 400*l.* was paid off in the year 1828, the revenue of the trust property, for the first two years, had exceeded the expenditure.

From the falling off in the letting of the marshes, and in the sale of the crops of Calves Hurn in particular, for the last three years, the revenue of the trust property had considerably decreased; whilst the expenditure in the same period, in consequence of the large payments which, to relieve the town, the corporation took upon themselves during their prosperity, had been greatly increased, and had exceeded the income, on an average, nearly 360*l.* per annum.

Proposed Retrenchments.

With a view to meet this evil, and to reduce the expenditure within the probable income of 1,008*l.*, they state that they had very carefully scrutinized the disbursements, and more particularly those under the head of "Allowance for Feast-day," &c., and recommend, in order to effect the desired object, that the following should for the present be abolished; viz.

	£.	s.	d.
Allowance for feast, and the necessary expenses attending the same, hitherto 84*l.* 1*s.* 6*d.*, but of which (the expense of the feast having been incurred) can be taken off this year only	15	–	–
The subscription to the Norfolk and Norwich Hospital (which, although small, your committee are given to understand has never been made use of)	2	2	–
The payment to the men employed to watch the town	46	4	–
Allowance to ditto for oil	1	10	–
Salary to the person having the care of the engines	4	4	–
Together £.	69	–	–

By this means, a saving in the year 1831 would be effected to the amount of 69*l.*; and in any future year the saving would amount to double that sum, by taking off the whole allowance of 84*l.* 1*s.* 6*d.* for the feast, &c.

BECCLES.

They further report, that among the items denominated "Contingent Expenses," they find the following; viz.

	£.	s.	d.
New flag	5	12	–
Proclamation expenses	10	7	6
Town Hall repairs	25	6	8
Ditto conveyance	14	13	2
Vaccination	15	–	–
Funeral Sermon	1	1	–
Surveying River	20	–	–
Mrs. Chipperfield for breakage of windows	1	18	6
Mr. Bensley, carriage of engines	2	5	–
£.	96	3	10
And they also find the following:			
Coals for the poor	75	19	6
Less to pay for organ	35	–	–
Mr. Sharpin's salary for attending paving committee, voluntarily given up	10	10	–
Extra charge for oil	24	–	–
Mr. Haward's bill for extra flag pavement in Bridge-street	27	9	11
Together £.	269	3	3

These they struck off, making a further reduction of 269*l.* 3*s.* 3*d.*, by which (should their recommendation as to the first-mentioned items be adopted) they reduce the expenditure of the year 338*l.* 3*s.* 3*d.*

They state that various large contingent expenses must occur, such as interest on borrowed monies, charges for repairing engines, &c., which cannot be provided for unless reduction is carried to a much greater extent, and the corporation be relieved of the heavy burthens which, within the last few years, they have taken upon themselves, by defraying the whole expense, of lighting and paving the town, and which, in the past year, amounted to the sum of 211*l.* 19*s.* 1*d.*, exclusive of watching.

With respect to one of the anticipated contingent charges, they observe that there is an accumulating debt, to which the corporation is liable on account of the annual payment to the tontines, the arrear of which, amounting to the sum of 160*l.*, seems to have arisen from the mere ignorance of persons entitled to receive the same; to prevent a recurrence of which, they recommend that the deputy steward be instructed to give immediate notice to the claimants of their respective claims.

In conclusion, they state, for the information of the Corporation and Inhabitants of the town in general, and by way of explanation of the disposal of the revenue of the trust property, that the payments which have been made for years past in relief of the town for poor, lamp, church and composition rates alone, amount, upon an average, to 792*l.* 8*s.* 11*d.*

The whole of this Report was adopted, except the recommendation that the deputy steward should be instructed to give notice to the claimants under the tontine bonds.

Accounts and Audit.

The Accounts are made out in the name of the portreeve and surveyors; the last was delivered on the 11th April 1833, when the balance was paid over by the new portreeve.

The Audit is annual, and is regulated by one of the ancient laws of the town.

"Item, that an awditt shal be kepte once everye yeare, upon the day of charging the new portreeve and surveyors, where the olde portreeve and surveyors shall make their accompts before the newe elect maister portreeve and surveyors, and the com'on clarke or his deputye, and two of the residue of the company of the twelve, and two of the residue of the company of the foure and twentye; and then pay in such moneys as remayne in their handes to the use of the said corporac'on unto the chiefe surveyor so newlye chosen from out of the company of the twelve; and that for not accompting or non-payment in forme aforesaide, it shal be lawful unto maister portreeve newlye elected, to imprison and discommon such accomptant untill he hath dulye satisfied in that behalfe, and at the nexte courte daye following, the inhabitants to be made privye of the substance of the saide accompte, and how the money remayning is intended to be bestowed."

The auditors are in fact nominated by the new portreeve, who pays or receives the balance of the account. The balance paid by the present portreeve was 1,178*l.* 2*s.* 6*d.*

Publicity of Accounts.

On the day after the accounts have been audited, they lie open for the inspection of all the Inhabitants, and the bellman of the town is sent round to remind them of their privilege.

Alienations of Property.

In 1809, the corporation sold to Robert Sparrow, esq. of Worlingham Hall, 55 A. 2 R. 3 P. of land, part of the fen, for the sum of 3,000*l.* The money was applied in part payment of the expenses incurred in paving the town.

This is the only alienation within the last 50 years.

In order to purchase other lands, equal in value to those which were sold, it was ordered by the corporation, that an annual sum of 400*l.* should be invested in the public funds, to accumulate for that purpose. This was accordingly done, and a sinking fund established, which continued until the year 1824; when, in consequence of the advance in the price of government funds, the stock was sold out, and the proceeds were applied in discharge of existing debts.

These

These debts, amounting to 3,000*l.*, had been principally incurred by the expense of paving the town, and by contributions in aid of the poor rates. The sinking fund was consequently abandoned.

In 1824 they ordered that a sum of 100*l.* should be invested annually in the Three per Cent. Consols, or some other Government security; and that this sum should accumulate as a sinking fund, until the object of the corporation could be completely effected. The first sum of 100*l.* was accordingly invested in the Three per Cent. Consols on the 8th April 1824, in the names of the present portreeve, the common clerk, and others, trustees appointed for that purpose, who executed a deed with a declaration of the trust on the 13th April 1825. It appears that the state of the funds did not enable the corporation to carry the order into effect.

VII. PATRONAGE.

The Corporation are the governors of the Free School, which was endowed by the will of Sir John Leman, knight.—[*See* 22d Report of Charity Commissioners, p. 230.]

They have no other patronage.

VIII. STATE OF THE TOWN.

Population.

The Population of the town, according to the last Parliamentary Return, was as follows:—

Year.	Population.	Increase.
1801	2,788	—
1811	2,979	191
1821	3,493	514
1831	3,862	369

The male population of 1831 was 1794.

Occupations.

This population is distributed thus—

Families	Agricultural	140
	Trading and manufacturing	536
	Not comprised in either of these classes	205

Houses.

The number of houses in 1831 were returned 860. At the present time it is 885.

Property.

The annual value of real Property was returned in 1815, 7,976 *l.* It is now estimated to be 9,391*l.*

Local Taxation.

The Parochial Assessment, according to Parliamentary Returns,* was in

1825	£.1,370 3 –
1829	1,345 17 –

The last Paving Rate was 22*l.* 18*s.* 7*d.*

The Assessed Taxes, for the year ending 5th April 1833, were 865*l.* 14*s.* 5½*d.*

Shipping.

Beccles is now an outstation of the port of Yarmouth. The following is a Return of the number and tonnage of ships entered inwards and cleared outwards since a communication was opened with the sea. The foreign shipping is distinguished from that engaged coastwise, including Ireland.

ENTRIES AND CLEARANCES.		1832: From 16th April to 5th January.		1833: From 6th January to 5th January.		1834: From 6th January to 5th November.	
		Ships.	No. of Tons.	Ships.	No. of Tons.	Ships.	No. of Tons.
Coastwise (including Ireland)	Inwards	64	3,596	150	7,873	136	7,724
	Outwards	36	2,034	125	7,612	105	7,063
Foreign Trade	Inwards	3	231	—	—	4	656
	Outwards	—	—	—	—	—	—

There are six vessels, the tonnage of which is 415 tons, belonging to inhabitants of Beccles, and registered at the Port of Yarmouth.

The duties are paid at Yarmouth.

Local Acts.

The Local Acts relating to the town are,

1. An Act for paving, lighting, cleansing and otherwise improving the Streets and other Public Passages and Places within the Town of Beccles, in the County of Suffolk, 36th Geo. III.

2. An Act for making the River Waveney navigable for Ships and other Seaborne Vessels from Rose Hall Fleet to the Mouth of Oulton Dyke, and for making and maintaining a navigable Cut from the said River at Carlton Shares Mill into the said Dyke, leading to Oulton Broad, in the County of Suffolk, 1st Will. IV.

IX. SUMMARY and OBSERVATIONS.

The disputes between the Inhabitants and their former Trustee, Mr. Rede, which I have traced in the history of the corporation and its charters, after long agitating the town, terminated at length in the transfer of municipal power from an influential family to a select body of the townsmen. The hereditary power became elective, and still continues so; but the elections are not entrusted to the inhabitants.

The

* Parl. Paper, 1830. No. 83.

BECCLES.

The council, composed of the two companies, the Twelve and the Twenty-four, is self-elected; and the portreeve, the surveyors, the common clerk and other corporate officers, are chosen by the council.

The constitution therefore provides no external check by means of the elections.

The local Jurisdiction has become obsolete, and the functions of the municipality are now in practice confined to the management of the town property, which was expressly given for the use of the Inhabitants.

In two instances,—the lease of a portion of the fen to the Rev. R. Rede, and the lease of hospital lands to Mr. T. Rede,—it is admitted that property has been improperly granted away. In both cases the grants were made to influential members of the Council, holding the office of Portreeve, to whom the management is specially entrusted; and in the latter case, the office of Common Clerk also was vested in the person of Mr. Rede, and the lands were held in trust for the poor.

The characters of the present portreeve and common clerk may be considered as guarantees against the repetition of such grants; but in the personal nature of this guarantee, appears the defect of the constitution.

Of late, the Lands have been let by public auction, for short terms, and their full value has consequently been secured by open competition. The Revenues arising from them are applied to public purposes, and the Expenditure is practically controlled by the annual publicity of accounts.

The Town is considered to be prosperous, and its prosperity has been considerably advanced by the recent establishment of a port. Rents are rising; the wages of ordinary agricultural labour in its vicinity are from 20 *d.* to 21 *d.* a day; and the poor rate about 2 *s.* a quarter on two-thirds of the rental. The inhabitants are well provided with Schools. There is an infant school, a large national school and several others.

Its expressed wants are, a Magistrate permanently resident, and a regular Police, under the control of the magistrate.

Documents.

The Documents accompanying this Report are,—

1. A translation of the Governing Charter.
2. A return of the Town Property, specifying the existing leases, and the names of the present occupants.
3. A copy of the last audited Account.

John Buckle.

REPORT

ON

THE BOROUGH OF BOSTON.

(LINCOLNSHIRE.)

CONTENTS.

	Page
Limits	2151
Charters	2151
Title of the Corporation	2151
Officers	2151
Freemen	2151
Mayor, how elected	2151
Recorder	2151
Deputy Recorder	2151
Aldermen	2151
Common Councilmen	2152
Coroner	2152
Town Clerk	2152
Judge of the Court of Admiralty	2152
Gaoler	2152
Marshal of the Admiralty	2152
Serjeants-at-Mace	2152
Deputy Clerk of the Market	2152
Erection Bailiff	2152
Chamberlain	2152
Chaplain of the Gaol	2152
Beadle	2152
Town Crier	2152
Surveyor and Land Agent	2152
Fines	2152
Freemen, how created	2152
By Birth	2152
Apprenticeship	2152
Gift	2152
Purchase	2153
Fees on admission of Freemen	2153
Ruling Body, functions of	2153
Mayor	2153
Recorder	2153
Deputy Recorder	2153
Aldermen	2153
Common Councilmen	2153
Coroner	2153
Town Clerk	2153
Judge of the Admiralty Court	2154
Gaoler	2154
Marshal of the Admiralty Court	2154
Serjeants-at-Mace	2154
Deputy Clerk of the Market	2154
Erection Bailiff	2154
Chamberlain	2154
Chaplain of the Gaol	2154
Beadle	2154
Town Crier	2154
Surveyor and Land Agent	2154
Freemen, privileges of	2154
Courts	2154
Quarter Sessions	2155
Juries	2155
Petty Sessions	2155
Court Leet	2155
Court of Admiralty	2155
Court of Pleas	2155
Court of Pie-poudre	2156
Court of Clerk of the Market	2156
Court of Requests	2156
Police	2157
Gaol	2157
Poor	2157
Patronage and Schools	2157
Licenses	2157
Property and Revenue	2158
Debts	2158
Expenditure	2158
Erection Bailiff's Account	2158
Chamberlain's Account	2159
Law Expenses	2160
Salaries	2160
Charities	2160
Pensions	2160
Contingents	2160
Improvement of the Harbour of Boston	2160
Borough Rate	2161
Auditing Accounts	2162
Inspection of Corporation Books	2162
State and prospects of the Town	2162
Bribery at Elections	2162
Conviction and prosecution of Barber	2162
Noble's case	2163
Paving	2163
Lighting and Watching	2163
Extent, Population, &c.	2164
Supply of Water	2164
Education	2164
Dispensary	2164
Trade and Shipping, Agriculture and Employment of the Poor	2164
Working of the Constitution	2167
Local Acts	2168
Documents sent with the Report	2168

BOROUGH OF BOSTON.

THE Borough extends over the whole parish of Boston. A small addition is made to the parish, by the Boundary Act, to constitute the new borough. Limits.

Boston is a borough by prescription, but is chiefly governed by a Charter of the 37th Henry VIII. By another Charter in the same year, divers messuages, lands &c. were granted to the corporation, in consideration of the sum of 1,646*l.* 13*s.* 4*d.* The first charter was confirmed by charter 1 Ed. VI. Philip & Mary, by a charter in the first and second year of their reign, granted messuages and lands to the corporation for the maintenance of the bridge and port; for finding and establishing a school and schoolmaster; two presbyters for the celebration of Divine Service in the parish church; and four poor inhabitants to pray, &c. for ever. Charter 15 Eliz. grants a Court of Admiralty and other privileges to the borough. Charter 2 Jac. I. grants a license to the corporation to purchase manors, messuages &c., of the clear yearly value of 100*l.*, and empowers them to sell manors, messuages &c. to the same amount. This charter contains several other regulations, and confirms all former privileges. The following are the dates of other charters granted to the corporation: 3 Eliz. I., 2 Jac. I., 3 Charles I., 1 James II., 4 James II. Charters.

The title of the corporation is, Mayor and Burgesses of the Borough of Boston, in the County of Lincoln. Title of the Corporation.

The Officers named in the charters are— Officers named in the Charters.

- Mayor.
- Recorder.
- Deputy Recorder.
- 12 Aldermen.
- 18 Common Councilmen.
- Coroner.
- Town Clerk.
- Judge of the Court of Admiralty.
- Gaoler.
- Marshal of the Court of Admiralty.
- 2 Serjeants-at-Mace.
- Deputy Clerk of the Market.

The other Officers of the corporation are— Not named in the Charters.

- Erection Bailiff.
- Chamberlain.
- Chaplain of the Gaol.
- Beadle.
- Town Crier.
- Surveyor to the Corporation.
- Land Agent to the Corporation.

The number of resident Freemen is about 480, that of non-residents, about 40. Freemen.

The Mayor is elected annually by the aldermen and common councilmen from the aldermen who have not served the office for five years. It is usual to put up the names of all who are eligible as candidates for the mayoralty, and the senior generally, but not always, is chosen mayor. Mayor, how elected.

The Recorder is elected by the mayor and aldermen for life, and the charter 37 Hen. VIII. requires him to be a discrete person and learned in the law. The present recorder is Lord Brownlow. Recorder, how elected.

The charter 2 Jac. I. authorizes the recorder to appoint a Deputy. The present deputy is Serjeant Goulburn. A former deputy recorder was a resident wine-merchant, an alderman and member of parliament for the borough; afterwards a retired solicitor, who resided at Sleaford, sixteen miles from Boston, was deputy recorder. He was succeeded by a barrister, who was the immediate predecessor of the present deputy. On the last vacancy, the corporation applied to the recorder to appoint a resident deputy, but the appointment of the present deputy had previously taken place. Deputy Recorder, how appointed.

The Aldermen are elected for life by the mayor, aldermen and common council, from the common councilmen. All the members of the common council are put in nomination, and the mayor and aldermen choose six by ballot; the mayor, aldermen and all the common councilmen, except the six so chosen, select two; and all the body, except those two, elect one Aldermen, how elected.

BOSTON.

of them to the office of alderman. The senior common councilman has been, with very few exceptions, elected alderman. Non-residents are ineligible. Nearly 20 years ago, an alder man was non-resident for two or three years, but he lived within about four miles of Boston.

Common Councilmen, how elected.

The Common Councilmen are elected for life, by ballot, by the mayor and aldermen, from the freemen. No regard is paid to seniority in these elections. Persons whose political sentiments agree with those of the mayor and aldermen are generally elected. Within the last eight years, two individuals of adverse politics have been chosen, but their political sentiments were not known at the periods of their election. There was no evidence of the election of any other persons of political opinions differing from those of the corporation. Many dissenters who reside in the town are persons of considerable property and respectability, and occupy stations in life from which common councilmen are usually selected, but none of them have ever been admitted into the corporation. The common councilmen are removable by the mayor and aldermen for misconduct. There have been three vacancies in the common council for about three years. Some respectable persons, and among them individuals of politics adverse to the corporation, have refused to become members of the common council. Two of the members are non-resident.

Coroner, how elected.

The Coroner is elected, during pleasure, by the mayor and aldermen, from the aldermen and common council.

Town Clerk, how elected.

The Town Clerk is chosen by the mayor and aldermen during pleasure. He is usually a common councilman.

Judge of the Court of Admiralty, how appointed.

The Judge of the Court of Admiralty is appointed by the mayor. He is generally an alderman. The charter of Elizabeth requires him to be a learned person; but the last person who held the office was not a lawyer, nor is the present, who has been a merchant.

Gaoler, how elected.

The Gaoler is elected by the mayor and aldermen during pleasure, and is generally a freeman.

Marshal of the Admiralty, how appointed.

The Marshal of the Admiralty is appointed by the mayor during pleasure, and is usually one of the freemen.

Serjeants-at-Mace, how elected.

The Serjeants-at-Mace are elected by the mayor and aldermen during pleasure; generally from the freemen.

Deputy Clerk of the Market, how appointed.

The Deputy Clerk of the Market is appointed by the mayor during pleasure.

Erection Bailiff, how elected.

The Erection Bailiff is elected for a year in the following manner:—The mayor nominates two aldermen, of whom the late mayor is always one, and the other generally an alderman who has served the office of mayor. One of them is elected by the mayor, aldermen and common council, who, in a great majority of instances, select the late mayor.

Chamberlain, how elected.

The mayor nominates two of the common councilmen, who have not already served the office, and one of them, generally the senior is elected Chamberlain by the mayor, aldermen and common council.

Chaplain of the Gaol, how elected.

The Chaplain of the Gaol is elected during pleasure by the mayor and magistrates.

Beadle, how elected.

The Beadle is elected during pleasure by the mayor and aldermen; and is generally a freeman.

Town Crier, how appointed.

The Town Crier is appointed by the mayor during pleasure; in general from the freemen.

Surveyor to the Corporation, and Land Agent to the Corporation, how elected.

The Surveyor and the Land Agent to the corporation, are elected by the mayor, aldermen and common council, during pleasure. All the officers of the corporation are resident.

Fines.

By the bye-laws of the corporation, Fines are to be levied on members refusing to serve corporate offices, for non-attendance at corporate meetings, &c. One hundred pounds has been paid by an individual who declined serving the office of mayor. Freemen refusing to take the office of common councilmen are liable to pay a fine of 40*l.* The fine on an alderman for not attending corporate meetings is 3*s.* 4*d.*; that of a common councilman, 1*s.* 8*d.* Of late years no fines have been levied. It seems to be understood that a fine would still be imposed on any one refusing to serve the office of mayor. By the charter, 37 Hen. VIII, aldermen are forbidden to withdraw or diminish any obiits, obsequies, charitable or other gifts, given by wills. &c.; and in the event of the aldermen not maintaining the said obiits, &c. the mayor is to admonish them; if they still refuse to do their duty, he is empowered, with the assent of the major part of the aldermen, to commit the offenders to gaol till they find sufficient security that they will maintain the said obiits, &c.

Freemen, how created.

Freemen are created by birth, servitude, gift and purchase.

By Birth.

All sons of aldermen and the eldest sons of common councilmen, are entitled to be admitted to their freedom at the age of 21 years.

By Apprenticeship.

Freedom by apprenticeship is acquired by service under an indenture of apprenticeship for seven years to a freeman within the borough.

By Gift.

None are admitted by gift except the candidates for the representation of the borough in Parliament.

Persons

Persons wishing to become freemen by purchase, petition the hall to that effect, and it does not appear that any applicant has been refused. By a resolution of the corporation, every person in future who wishes to be a freeman, and proposes to become a member of the hall, will be admitted. Only one admission by purchase has occurred since the passing of the Reform Act. By Purchase.

By a bye-law *temp.* Car. II. the sum to be paid on admission to freedom by purchase was 5*l.*; but from the year 1784 till almost the present time, 50*l.* have been paid. The person who was admitted since the Reform Act paid only 5*l.* The sum of 30*s.* is paid on the admission of freemen; 1*l.* stamp, 3*s.* 4*d.* to the corporation, and 6*s.* 8*d.* to the town clerk. Fines on Admission of Freemen.

By charter, 37 Hen. VIII. the mayor and recorder, with the major part of the aldermen and common council are directed to assemble in the guildhall as often as they please, and are empowered there to make laws, ordinances and statutes for the good government, preservation and profit of the borough; and according to their discretion, to change and reform the same laws, &c. into better and more convenient, and to put in execution the said laws, &c. as they shall think fit. Sixteen members, including the mayor, must be present to constitute a hall. The governing body have authority to levy a town rate on the inhabitants of the borough. They have also the management of the harbour under certain Acts of Parliament. Ruling Body, functions of.

The Mayor is, by virtue of his office, escheator, returning officer at the election of Members of Parliament for the borough, and clerk of the market. He presides at the quarter sessions, court of record, court leet, pie-poudre court, and court of admiralty. He is also chairman of the pilot meetings, and a commissioner of the court of requests; and takes inquests in the absence of the coroner. The mayor has two votes in all questions brought before the corporate body for their decision. He had formerly a yearly allowance of 554*l.* to defray the expenses of civic entertainments, but it has been discontinued since 1829. He has also the privilege of taking a fish, either mackarel, cod or oyster, from every coble, a particular kind of boat, coming into the port of Boston, and belonging to a stranger. He receives 41*l.* 14*s.* a year under the name of sugar rents. Mayor, functions of.

The Recorder never acts personally in the corporation; all his duties are performed by his deputy. He has neither salary nor emolument. Recorder, functions of.

The Deputy Recorder is a magistrate. He attends the quarter sessions when required to do so, and at least twice a year. He has a salary of 6*l.* 13*s.* 4*d.* a year, but no other emolument. Both the recorder and deputy are officially commissioners of the court of requests. Deputy Recorder, functions of.

The functions of the Aldermen, as members of the Ruling Body, have been already enumerated. All of them who have served the office of mayor are entitled to become magistrates, but in general only three take upon themselves the magisterial duties, though sometimes four aldermen have acted: they are officially commissioners of the Court of Requests. Aldermen, functions of.

The Common Council are also commissioners of the Court of Requests, but have no other functions beyond what belong to them as members of the ruling body, and which have been already specified. Common Councilmen, functions of.

The Coroner performs the ordinary functions of his office, and receives a salary of 16*l.* a year, in addition to the usual allowance of 1*l.* on each inquest. Coroner, functions of.

The Town Clerk attends all courts and meetings of the corporation, and makes entries of the proceedings, and performs the usual duties of his office. He is, officially, clerk of the peace and of the indictments, and is usually clerk to the magistrates. The present town clerk is a common councilman. His salary is 80*l.* a year, and he derives a profit from the professional business done for the corporation. Town Clerk, functions of.

The emoluments of clerk of the peace and clerk to the magistrates average about 200*l.* a year. The corporation have had a great number of prosecutions at the assizes within the last three years. The net profits of the clerk of the peace from this source are estimated at about 100*l.* a year. His average annual receipts from the Court of Pleas are about 6*l.* The whole emoluments of his office, arising from his salary, fees, and the profits of professional business consequent upon holding it, are estimated by him at from 450*l.* to 500*l.* a year.

At the last vacancy for the office of town clerk a contest was expected between the gentleman who now holds it and one of the aldermen, who is an attorney, and who was at the time, and still is, a magistrate for the borough. An agreement was entered into between these parties, that the present town clerk should, in the event of his being elected, pay to the alderman the sum of 170*l.* a year; the latter declining to become a candidate. This arrangement was acted on, and the alderman and two of his brothers, who are also aldermen, voted for the present town clerk, who was elected. The agreement between these individuals was known to at least one other alderman before the time of the election. This arrangement, by which an alderman and magistrate shares the profits of a subordinate officer whose duties are to a considerable extent under his control, appeared to us to deserve the severe reprehension of the corporation; but we found, on inquiry, that no proceedings respecting it had taken place in the hall, nor did it appear to have been in any way noticed by the corporation.

Judge of the Admiralty Court, functions of.

The duty of the Judge of the Court of Admiralty is to preside with the mayor in that court: but as it is held only once a year, and no business is transacted in it, he now exercises no other function but that of swearing in the juries who are summoned whenever the court sits. He has a salary of 2*l.* 13*s.* 4*d.* a year.

Gaoler, functions of.

The Gaoler receives yearly, for performing the ordinary duties of his office, 62*l.* from the corporation, and 18*l.* from the parish; and also 5*l.* for cleaning and whitewashing the gaol. He occasionally receives gratuities for accommodation granted to debtors beyond what is afforded by the ordinary regulations of the prison. These payments are voluntary, no demand being made on any debtor.

Marshal of the Court of Admiralty, functions of.

The duty of the Marshal of the Admiralty is to serve the process of the court, and to attend upon the mayor. He also acts as coroner within the jurisdiction of the court, and receives the ordinary allowance of 1*l.* on each inquest. He has a salary of 42*l.* a year.

Serjeants-at-Mace. functions of.

The Serjeants-at-Mace summon juries to attend the Sessions, execute the process of the court of record, and attend upon the mayor. They have a yearly salary of 39*l.* each, and some very trifling fees in addition.

Deputy Clerk of the Market, functions of.

The Deputy Clerk of the Market has the superintendence of the market, and attends the market jury in the inspection of weights and measures. He receives, on an average, about 6*s.* a week in small sums paid for the privilege of placing baskets on the ground in the market.

Erection Bailiff, functions of.

The duty of the Erection Bailiff is, to receive the rents of the estates granted by the charter of Philip and Mary to the corporation, and to apply the same in the manner therein directed. He receives an annual salary of 20*l.*

Chamberlain, functions of.

The Chamberlain receives the rents of the estates purchased by the corporation, and disburses the amount as directed by the mayor, aldermen and common council. His salary is 20*l.* a year. The erection bailiff and the chamberlain give bonds, with one surety each, to the corporation, with a penalty to double the amount of the respective rentals to secure the faithful performance of their duties. If any interest accrues on balances of their accounts in the hands of their bankers, they are allowed to retain it. The present mayor, who has served both offices, stated that his interest on the balance of the erection bailiff's account had been about 20*l.*, and on that of the chamberlain's account between 30*l.* and 40*l.*

Chaplain of the Gaol, functions of.

The salary of the Chaplain of the Gaol is, for the ordinary duties, 26*l.* a year.

Beadle, functions of.

The Beadle acts generally as a constable and peace officer, and receives an annual salary of 35*l.*

Town Crier, functions of.

The Town Crier has a yearly salary of 15*l.*, and some small allowances besides.

Surveyor and Land Agent to the Corporation, functions of.

The Surveyor to the corporation receives a salary of 50*l.*, and the Land Agent of 30*l.* a year.

Freemen, privileges of.

The charter of 37 Hen. VIII. declares, that no one shall enjoy the liberties of the borough unless he be resident within the borough, "and that he pay from time to time scott lott taxes, and all and singular charges, as other burgesses of the said borough shall and ought to do." He may, however, by license from the mayor, aldermen, and common council, dwell out of the borough. The right to vote for Members of Parliament for the borough is confined to those who have acquired their freedom by birth or servitude, and who pay scot and lot. Those who pay scot and lot are exempted from serving on juries for the county; and all freemen are exempted from the payment of corporation tolls in the borough, and throughout England. Sums of money amounting to 70*l.* have been bequeathed to the corporation for the purpose of being lent to freemen, all of whom are qualified to have the benefit of these loans.

Courts. Quarter Sessions.

The Court of Quarter Sessions is held before the mayor, deputy recorder and other magistrates. The mayor and three other magistrates are always present, and in most instances four magistrates besides the mayor. The deputy recorder usually attends when the more serious offences are tried. Prisoners, however, have been sentenced to seven years' transportation in his absence, but no one has been transported for life except when he was present at the trial. Two of the magistrates who are in the habit of attending at the sessions are attornies. The late deputy recorder sat about twice a year. The present deputy recorder has been lately appointed. Capital offences are not tried at these sessions. A resident attorney stated it as his opinion, that great injustice to suitors and prisoners at the sessions, arose from the want of a lawyer to address the jury, and to decide on the admissibility of evidence. It appears to us, that when a case of so serious a nature as to make the prisoner liable to the punishment of transportation for seven years is tried, the legal officer of the corporation should be present at the trial. The periods of the quarter sessions are not fixed, but are generally arranged to suit the convenience of the deputy recorder. They seldom vary more than a fortnight. The process of this court is the same as in the parts of Holland, within which Boston is situate. The average costs of a prosecution appear to be about 50*s.* The table of fees taken by the clerk of the peace was confirmed by the

judges

judges on the circuit in the year 1829. The following is a return of the number of persons committed, &c., for felonies in the years specified:—

YEARS.	FELONIES.						
	Number of Persons committed for Trial for Felony.	Number Convicted.	Number Acquitted.	Number discharged for want of prosecution.	Number against whom no Bill was found.	Number Transported.	Expenses allowed.
							£. s. d.
1830 - -	8	6	1	—	1	1	14 19 4
1831 - -	16	15	1	—	1	4	58 7 10
1832 - -	13	13	—	—	—	1	56 11 11

Since the passing of the statute 9 Geo. IV. c. 31, no prosecutions have been brought at the borough sessions for common assaults. There were several prosecutions during the years in question for other misdemeanors, but none of the parties were committed for trial.

It is very unusual to try appeals at the borough sessions, the practice being to take them to the sessions for the division of Holland. Three appeals against poor's rates were entered in 1830, and one in 1831. One of them was tried in 1830; the others were afterwards taken to the division sessions. The ordinary cost of an appeal at the borough sessions is understood to be from 15*l.* to 20*l.*

Juries.

The Juries are selected by the mayor and town clerk at their discretion. There would be no restraint against their acting partially in the selection if they should ever feel disposed to do so.

Petty Sessions.

The Petty Sessions are held every Friday; two magistrates always attend, and sometimes three or four.

Court Leet.

The charter Henry VIII. grants a Court Leet to the borough, to be held twice a year before the mayor, recorder or town clerk. It is now held only once a year, and the town clerk presides. The jurisdiction of the court extends over the manors of Roose Hall, Hussey Hall, and Hall Garth, within the borough of Boston. The leet jury sometimes present nuisances; and indictments, founded on their presentments, are brought forward at the quarter sessions. No fees are taken at this court.

Court of Admiralty.

The Court of Admiralty, granted by the charter of Elizabeth, extends over the borough and port of Boston, and also to certain other places called the Deeps, and the streams and watercourses of the washes in and near the parts of Holland particularly described in the charter. It is held once a year; the mayor and judge of the court of admiralty are the judges, and the town clerk attends as the officer of the court. Two juries are summoned, one for that part of the borough and parish called Boston East, and the other for Boston West. The court has cognizance of all manner of pleas in all and singular suits, plaints, actions and demands whatsoever, and concerning all contracts, debts, controversies, contentions and offences, and of all maritime and other suits whatsoever touching the office of admiralty. It has also a criminal jurisdiction. No business is now done in this court, and, on reference to the books of the proceedings of the court, it does not appear that any actions have ever been commenced therein. Whether or not this is occasioned by the corporation having disregarded the provision of the charter, which requires a learned person to be appointed to the office of judge, and bestowed it on persons who are not lawyers, we do not possess the means of ascertaining. The mayor does not always attend the meetings of this court.

Court of Pleas.

The charter Henry VIII. grants to the corporation a Court of Record, for the trial of all actions real, mixed and personal. The jurisdiction is exclusive, and a claim of cognizance is given to the corporation in the event of a suit being brought against any burgess of Boston in any other court. The court is to be held on every Wednesday and Saturday, before the mayor, four aldermen justices of the peace, (two of the quorum) the recorder and town clerk. The jurisdiction extends to "the uttermost parts and bounds of the parish," and the process of the court is to be according to the laws and customs of the kingdom of England, as is used and accustomed in the city of London. Judgment may be levied on body land and goods. The court is now held once a fortnight when the state of the business requires it. Any attorney of the superior courts may be admitted to practice in this court. The usual proceeding is by action of debt, and an arrest is allowed. An affidavit of debt is made before the town clerk, and the defendant may immediately be arrested. The charge for the writ is 11*s.* 6*d.* This practice has been found useful. The amount of costs is in general the same as in the superior courts, but no charge is made for appearance or filing declaration, plea, &c. Six actions were commenced in the course of the last year. Causes are frequently removed from this court to the courts at Westminster.

BOSTON.

minster. Not more than two or three causes have been tried within the last 15 years. There have been some writs of inquiry, but probably not amounting in number to one in a year. The causes seldom proceed beyond the declaration. Five causes were commenced in the court in 1830, five in 1831 and 11 in 1832. One person was sent to gaol on mesne process in the first of these years, two in the second, and the same number in the third. No execution issued in either of these years.

The following objections were made to the court by a solicitor residing at Boston: the delay, arising from the court being held only once a fortnight, as judgment cannot be given till the third court from the commencement of the action; the necessity of making an affidavit of debt previously to suing out *serviceable* process, and which can only be done before the mayor or town clerk; and the circumstance of members of the corporation being judges of the court. The same individual stated, that if the deputy recorder were to attend, he thought that it would be a great benefit to the trade of Boston, and would make it an excellent local court for the whole county. He further stated, that for debts under 20*l.*, he should not object to the court in its present form; but that he did not think that demands for larger sums should be brought before it.

It seems to us, that the mere inspection of the map, clearly shows that the situation of Boston is far too remote from many parts of the large county of Lincoln to admit of its being selected as an eligible place for a local court for the whole county. The practicability of having a deputy recorder, to preside in this court, must depend on the means which exist of giving a barrister, properly qualified, such a remuneration as will induce him to devote his time to the duties of the office.

Two of the aldermen, who are attornies, are judges of this court. One of them (the same individual whose arrangement with the town clerk has been already mentioned) stated that he had sometimes practised as an attorney in the court since he had been a justice; but had never sat as a judge in his own cause. When asked whether he had ever acted as a judge when a cause of his own had been brought forward in the name of another attorney, his answer was, "I do not think I have ever sat when my business was done in the name of another attorney, I am almost sure I have not." We think it quite unnecessary to make any comment on the impropriety of a person who holds a judicial office, acting directly or indirectly, by himself or another, as an attorney of the same court. A charge was also brought against the partner of the other attorney who is a magistrate, of having acted as an attorney of the court; but we were satisfied on investigation that the charge was wholly unfounded, and originated in a mistake.

Court of Pie-poudre.

A Court of Pie-poudre is held at each of the fairs, which are three in number, and in the markets held within the borough. The mayor sits in this court, attended by the town clerk. Two watchmen, and the beadle perambulate the fair, and bring disorderly persons before the mayor, who adjudicates upon their cases.

Court of Clerk of the Market.

The Court of the Clerk of the Market is given by the charter 37 Hen. VIII. The proceedings in this court are the same as are exercised by the clerk of the market of the city of London, as directed by the charter.

Court of Requests.

By a local Act, 47 Geo. III. repealing and altering former Acts, a Court of Requests is constituted for the recovery of small debts in the borough and parish of Boston, and the hundreds of Skirbeck and Kirton (except the parishes of Gosberton and Surfleet) in the county of Lincoln. The commissioners are authorized to decide and determine all disputes and differences between party and party for any sum not exceeding 5*l.* in actions of debt, *assumpsit*, trover, all causes or returns founded on a *quantum meruit* and trespass, or detinue for goods and chattels taken or detained. The number of commissioners is 74; 13 members of the corporation have qualified as commissioners, five of them before they became members. Three of the commissioners must be present on the trial of an action for the recovery of any sum not exceeding 40*s.*, and five if the action be brought for the recovery of any larger sum. The average expense of a cause where the debt is under 40*s.* is as follows:—

	£.	s.	d.
If settled on summons	–	3	2
If by order of court, without execution	–	6	9
When execution is sued out	–	10	–

When the debt is above 40*s.*

	£.	s.	d.
On summons	–	6	–
By order	–	12	10
By execution	–	19	4

The yearly average of causes for the last three years is 679.

One of the aldermen, who is an attorney, is clerk to the commissioners. The debts are paid to him, and sometimes the creditors do not take them from the clerk for some years. On the 30th September 1833 a balance of unclaimed debts remained in his hands to the amount of 390*l.* 14*s.* 7*d.*; which is about the sum usually in hand. The court often make orders for the debt to be paid by weekly payments into the clerk's office. The creditor has a right to take the money as soon as it is paid in; but the clerk to the commissioners stated, that he had occasionally objected to the creditors receiving the money, and recommended to them to wait till all was paid in. He said, however, that this had

not

not happened above six times since he came into office in 1815, and that he had never *absolutely* refused payment to any creditor demanding it. This court appears to be beneficial, and to give satisfaction to the public.

Police.

By the charter Hen. VIII., the mayor and aldermen may (if they think it expedient) appoint six constables; but this provision of the charter is not acted upon. The Police of the borough at present consists of one chief and 11 petty constables. The chief constable is appointed for life by the magistrates; but is removable by them for neglect of duty. The petty constables are appointed annually by the magistrates, but the same individuals are often continued from year to year. The beadle is one of the petty constables. There are also five night watchmen who are appointed by the commissioners under the lighting and watching act. Only one of them is a constable. One of the petty constables is in daily attendance at the police office of the borough. The chief constable has been in office 23 years, and was originally appointed by the justices without any solicitation. He holds two other offices, and his yearly emoluments are about as follows:—

	£.	s.	d.
As constable	35	–	–
Receiver of assize returns	21	–	–
Inspector of corn returns	49	–	–
£.	105	–	–

He is also clerk to an attorney who is one of the magistrates. Many of the petty constables have been in office for several years. They are tradesmen and mechanics, and as their time is only in part occupied as police men, they have no fixed salaries, but make out their bills quarterly for what they do as constables. The police appears to be efficient for general purposes, and the inhabitants readily take upon themselves the duties of special constables when required to do so. On occasion of riots at elections, or arising out of political contentions, the police has sometimes been found inefficient.

Gaol.

The Borough Gaol consists of four yards, seven day rooms and sixteen sleeping cells. It is impossible to carry the provisions of the law respecting the classification of prisoners into effect in this prison. When there are prisoners of all descriptions here, the division is as follows: one yard for male debtors, one for male felons and convicts sentenced to hard labour, one for male misdemeanants and vagrants, and the remaining yard for female prisoners of all descriptions. Thus there is no provision for a separation of the untried from the convicted; the young prisoner who is committed for the first time for some small offence, from the old and hardened offender, or the wandering outcast who comes under the description of a vagrant, from him who has committed the most aggravated misdemeanour.

Most peculiarly hard is the condition of the female prisoners, all of whom are obliged to associate constantly together. The young girl who is committed for some trifling offence, is consigned over day and night to the society of the hardened thief and abandoned prostitute. The gaoler indeed permits female debtors to reside in that part of the gaol which is occupied by himself and his family; but the females committed for crimes and misdemeanours, are in all instances associated together in the same yard. Two more yards might be very easily added to the present gaol, which contains within its walls ample space for that purpose. The magistrates occasionally but not very frequently visit this prison. Divine service is performed here once every Sunday, and New Testaments are placed in the day rooms. The gaoler informed us that the chaplain never attended the gaol, except at the time of divine service, nor had any communication, in the way of conversation, with the prisoners. He said that he thought the free conversation among the prisoners did them a great deal of harm. Indeed it appears to us that deterioration and corruption of the moral character must almost necessarily result from confinement in such a prison as this. The number of prisoners committed to this gaol was,—

In 1830	308
1831	290
1832	289

Poor.

The corporation have no concern in the management of the Poor.

Patronage and Schools.

The ruling body of the corporation have the appointment of the vicar of the parish of Boston, the lecturer, the schoolmaster and 14 beadsmen. The mayor and aldermen appoint the clerk and officers of the court of requests. They will have the appointment of the chaplain of a chapel-of-ease which was built by subscription, after 15 years from the time of building the chapel. Till that time has elapsed, the subscribers will have the nomination of the chaplain. The votes are taken on all divisions by ballot.

Licenses.

There are about 42 public houses in the borough, two of which belong to an alderman and justice, who is a brewer. He never acts in licensing public houses. Another public house belongs to an alderman who is a spirit merchant, but he is not a magistrate. The same number of licenses have been granted for many years, and when one public house is given up another is substituted in its place. Evidence was given of an exchange, where the house which had been relinquished was situate in a remote part of the parish, at a considerable distance from the town, and the new one licensed was a large house in the town. The giving up of the former appeared to us to afford no ground for licensing the other, and we think that there was an improper preference in this case. This house was built on the property

BOSTON.

property of a gentleman, living on terms of intimacy with the magistrates. The publican, to whom the license was granted, offered to purchase the premises, on condition that the proprietor would obtain a transfer of his license from the other house, more than four miles distant. This gentleman states, that he made an application to all the magistrates; and if they had refused the transfer he should not have expected the publican to purchase the premises. The conveyance was prepared by the then town clerk. In other cases the licenses seem to have been granted without partiality.

Property and Revenue.

The property of the corporation consists of estates granted by the charter of Philip and Mary, for the purposes mentioned in the early part of this report, and of other estates and property purchased by the corporation, and applied to their general purposes.

The property granted by the charter is, 511 acres, 1 rood and 21 perches of land, and some houses, and yields a yearly rent of 2,142*l.* 16*s.* 6*d.* The far greater part of this property is held under leases for 10 years; a small portion from year to year; one house for 21, and another for 29 years. These two last estates were let on building leases. The leases for 10 years are granted to the highest bidder by auction, and security is given by each tenant for the payment of his rent. The land agent of the corporation always surveys the lands before they are put up to auction, and fixes the lowest bidding to be accepted. If no one bids to the amount fixed, the lands are usually let for a year, and at the end of the year put up to auction again. The number of acres of land granted by the charter is stated to be 226, and the difference between that quantity and the 511 acres, 1 rood and two poles now in possession of the corporation is accounted for, partly by a presumed inaccuracy in the measurement, and partly by the circumstance of many allotments having been made to the corporation under different Inclosure Acts, from the year 1772 to 1814 inclusive.

The remaining corporation property consists of 1,025A. 1R. 27P. of land, some houses, and the tolls and stallage of several markets, yielding a yearly rent of 3,617*l.* 4*s.*; a yearly payment called sugar rents, from which 17*l.* 18*s.* 6*d.* were received in the last year; and the sum of 3,690*l.* subscribed by the corporation to various turnpike trusts; to the Boston Gaslight and Coke Company, and to the Fossdike bridge, on which sums they receive interest annually, for some part at 4, other at 4½, and other at 5 per cent.; amounting in the whole to 172*l.* 10*s.* They also derive a revenue from admissions to freedom, which only amounted in the last year to 2*l.* 6*s.* 8*d.* The same mode of letting is adopted for all the property of the corporation. Five houses are held on building leases for 30 years.

Debts.

The debts of the corporation, on account of the property derived from the charter of Philip and Mary, amount to the sum of 8,800*l.* of which 1,800*l.* is secured on bonds, bearing interest at 4½ per cent. The remaining 7,000*l.* is a balance due to the chamberlain, for which no security has been given.

The bond debt on the purchased property is 14,130*l.*, the greatest part of which has been borrowed at 4½ per cent.; but the debts contracted in the year 1833, amounting in the whole to 3,300*l.* bear interest at 5 per cent. The same interest is also paid to the vicar, and lecturer of Boston on a sum of 400*l.*, left to the corporation for their benefit by Mrs. Mary Falkner. The sum of 36*l.*, the interest of bonds for 800*l.* is paid over by the corporation for charitable purposes, for which it was advanced. They also pay from this fund the sum of 1,322*l.* in annuities, granted at different periods, for the consideration of 17,450*l.* advanced to the corporation.

Expenditure.

Till within the last few years, the income of the corporation has exceeded its ordinary expenditure. The far larger portion of the debts on the purchased property already specified has been incurred since the year 1801, and expended, together with large sums raised by the sale of property, in defraying extraordinary expenses. The following account shows that these expenses have exceeded the amount of the debts contracted:—

	£.	s.	d.
Property sold since 1801	16,461	17	5½
Money raised on bond	12,280	–	–
„ by annuity	16,300	–	–
£.	45,041	17	5½

The extraordinary expenses during the same period have been as follows:—

	£.	s.	d.
1803–1807, building a bridge	22,538	–	–
About 1818, - ditto - a gaol	5,237	–	–
Old houses purchased for the improvement of the market-place	3,000	–	–
About 1819, erecting corn, poultry and butter markets and assembly room	14,353	–	–
About 1817 - ditto - fish market	1,233	–	–
Improving stock market	2,168	–	–
£.	48,529	–	–

It will be proper to observe, that two bonds for the sum of 650*l.* have been given for debts of an ancient and unknown date. These sums, therefore, together with the 400*l.* already mentioned

mentioned bequeathed for the vicar and lecturer, and the 800*l.* for charitable purposes, are not included in the above account.

The money borrowed on account of the chartered property has been expended as follows:

	£.	s.	d.
For erecting a house for the master of the grammar school	1,800	–	–
For erecting the bridge	7,000	–	–
£.	8,800	–	–

The master of the school pays the corporation a rent of 40*l.* a year for the house.

All the estates have been either sold or offered for sale by auction in the first instance, and when not sold, they have been afterwards disposed of by private contract. It did not appear that any estate had been sold by private contract for a less sum than had been previously offered by auction. In granting annuities, the corporation have acted on the principle and calculation contained in the Legacy Acts.

The whole expense of erecting a house for the master of the school, and improving the school yard, amounted to 2,007*l.* 12*s.* The work was performed by contract, after advertisement and tender, and the person doing it was not a member of the corporation. It was intended that the house should be fit for the accommodation of 30 pupils. There had been previously no house. The number of the scholars had been reduced to three under a former master; since the building of the house the school has increased. The master pays 60*l.* a year out of his salary to an usher.

The whole of the sum expended in erecting the bridge, was raised in the first instance out of the fund arising from the purchased estates; but it is considered that the chartered property is ultimately liable for it, as the reparation of the bridge is one of the objects for which it was granted to the corporation by the charter of Philip and Mary. £.5,000, with interest, has already been repaid from this fund.

Erection Bailiff's Account.

By the account of the Erection Bailiff of his receipts and expenditure in respect of the chartered property, it appears that the receipts from the 1st of May 1832 to the 1st of May 1833, including a balance of 434*l.* 5*s.* 8*d.* received from the former erection bailiff, amounted to 2,478*l.* 3*s.* 4½*d.* The sum of 44*l.* 3*s.* 4½*d.* was the proceeds of a sale of wood on one of the estates; the remainder was made up of rents. The rents do not exactly correspond with the account of the corporation property returned to us, owing to some new leases having been granted since May 1833. The corporation have found a difficulty in collecting their rents, and at Lady-day 1833 the sum of 408*l.* 5*s.* 10*d.* was in arrear. The largest item in the expenditure is for salaries and sums paid for charities, a small part of the estates under the management of the erection bailiff consisting of charity lands. The following salaries are derived from the fund, in addition to those paid to the corporation officers:—The vicar of the parish receives 265*l.* 6*s.* 8*d.* a year, the lecturer 210*l.*, the schoolmaster 220*l.*, and the minister of a chapel-of-ease lately erected by subscription 100*l.* A pension of 80*l.* a year is paid to the late schoolmaster, who held the office 35 years. The school was reduced almost to nothing. The pension was given for the purpose of getting rid of him, and the corporation had great difficulty in persuading him to resign. The salaries of the vicar, lecturer and schoolmaster, have been advanced from time to time. The heads of the erection bailiff's expenditure are as follows:—

	£.	s.	d.
Town clerk's bill	132	5	4
Interest paid to chamberlain	350	–	–
Land-tax	48	7	4
Interest on money borrowed	81	–	–
Annual salaries, &c. (as explained above)	1,125	7	10
Repairs	207	12	8½
Incidentals	44	17	–½
Poor of Holton	1	–	–
Balance in hand	487	13	1½
£.	2,478	3	4½

It is usual to leave a balance in the hands of the erection bailiff, as he has to make payments before the rents become due. An instalment of 500*l.* is payable yearly by the erection bailiff to the chamberlain, in liquidation of the sum advanced for the building of the bridge, but the funds for the last three years have not been sufficient to admit of this payment being made. The rental of the chartered property has been somewhat diminished of late years.

Chamberlain's Account.

The Chamberlain received from May 1, 1832, to May 1, 1833, including a balance of 367*l.* 0*s.* 5*d.* from the late chamberlain, 7,529*l.* 15*s.* 7*d.* Of this sum, however, 990*l.* were borrowed and repaid again within the year, and 3.300*l.* were borrowed and expended in discharging permanent debts of nearly the same amount. The other receipts were for rents,

BOSTON.

rents, interest on turnpike securities, &c. and fees received on the admission of freemen. The expenditure of the year, in addition to the payments already enumerated, was as follows:—

	£.	s.	d.
Law expenses	512	1	9
Interest on money borrowed	613	5	0
Annuities	1,347	0	0
Salaries, &c.	576	17	0
Charities	94	10	0
Pensions	89	0	0
Paving Commissioners	135	0	0
Land Tax	90	12	0
Repairs and contingents	523	10	1
Receipt stamps, postages, &c.	5	7	2
£.	3,987	3	0

	£.	s.	d.
Balance due to the Chamberlain at the end of the year	738	19	5
Do. received of late Chamberlain at the beginning of do.	367	0	5
£.	1,105	19	10

The expenses, therefore, in the chamberlain's accounts, exceeded the receipts by the sum of 1,105*l.* 19*s.* 10*d.* It does not appear on the face of the accounts, that any extraordinary expenses occurred within the year approaching to the amount of the sum specified. It will, however, be recollected that the sum of 500*l.* per annum should regularly be paid by the erection bailiff to the chamberlain, and that this sum has not been paid for the last three years.

Law Expenses.

The Law Expenses were heavy in the last year. A suit brought by the corporation for the recovery of tolls, in which they were unsuccessful, though they acted under the advice of a very learned lawyer, who has since been advanced to the bench, occasioned an expense amounting to more than 2,400*l.* Some part of this sum was paid within the last year. Some further expenses have been incurred respecting land which had been thought to be extra-parochial. This land had been rated to the poor's rate, and the party rated had appealed, in consequence, to the Quarter Sessions for the parts of Holland, who had quashed the rate. The same land was again rated by the parish, and two magistrates of Boston refused to sign the rate. A *mandamus* was obtained from the Court of King's Bench to compel them to sign it. The corporation declined trying the question, on account of the expense; and having given notice to the opposite party that they did not intend to try it, paid the taxed costs up to the time when notice was given of their intention not to try.

Salaries.

All the Salaries of the officers of the corporation have been reduced, that of the town clerk from 130*l.* to 80*l.* a year.

Charities.

The sums included under the head of Charities are all donations by the corporation, with the exception of 12*l.*, which is given from Brown's charity. The corporation pay 10 guineas a year to the Lincolnshire Coast Association, for the preservation of the lives of shipwrecked persons. This sum was not, however, paid in the last year.

Pensions.

The Pensions are given to former officers of the corporation, and to the widow of the late crier.

Contingents.

Among the contingent expenses will be found those of the election, amounting to 155*l.* 15*s.*, of which the far larger part, 135*l.* 5*s.*, was paid to the late recorder for his professional assistance.

Improvement of the Harbour of Boston.

Extensive powers are vested in the mayor and burgesses by two local Acts of Parliament for improving the port and harbour of Boston. They are authorized to collect tonnage, wharfage and lastage from vessels coming into the harbour, according to certain rates specified in the first-mentioned Act; and the monies so collected are to be applied, after paying the expenses of obtaining the Act, and of the collection of the dues, towards the expense of making and maintaining buoys, beacons and sea-marks in the harbour; deepening, cleansing, enlarging and improving the harbour: maintaining the quays, &c.; performing all necessary work, paying officers and servants, and discharging debts. They are empowered to make bye-laws, to which all vessels coming into the harbour shall be subject. The expenditure under the Harbour Acts, for 21 years from 1812–13, immediately following the passing of the Act to 1832, was 88,749*l.* 1*s.* 10*d.* The following is a summary of the Harbour Account for the year ending July 5th, 1833:—

	£.	s.	d.
Balance in hand	1,123	18	6
Cash received for Tonnage and Lastage	3,396	4	2
Rent of Wharf and Land, and Fines	473	10	–
Banker's Interest on Account	32	5	5
£.	5,025	18	1

EXPENDITURE:

Expenditure:	£.	s.	d.
Instalment of Loan by Exchequer and Interest	1,640	–	–
For extra work in the New Cut	3,402	–	–
Expenses of Committee in London on settling the same	71	14	–
Repairs and Improvements	305	16	10
Expenses relating to buoys and beacons	410	1	6
Gas-lights	21	–	–
Insurance	10	10	–
Clerk and Collectors	191	3	5
	6,052	5	9
Deduct Receipts	5,025	18	1
Balance due to Mayor and Burgesses	1,026	7	8
Add Balance in hand at the beginning of the year	1,123	18	6
	2,150	6	2
Deduct Liquidation of Debt	1,640	–	–
£.	510	6	2

This fund is still indebted in the sum of 15,000*l.* for money advanced by the Treasury, which is in the course of payment by yearly instalments.

The largest portion of the dues under these Acts is collected at Boston; but a considerable part at Spalding, and a small part at Wainfleet. The town of Spalding is situate on the river Welland, and Boston on the Witham, which rivers are united at a place called the Scalp. A local Act for improving the Welland gives the exclusive jurisdiction over that river above the point of confluence with the Witham to certain commissioners. The inhabitants of Spalding complain of the Boston Acts which lay a heavy charge upon them; and it is admitted that they enjoy no other advantage from the expenditure of the corporation of Boston, than what arises from the buoys and beacons below the Scalp. From a return made to us, it appears that the expenses relating to these buoys and beacons for 21 years, have only amounted, on an average, to 391*l.* 3*s.* 1*d.*; whereas the average of the general expenditure of 88,749*l.* 1*s.* 10*d.*, for the same term, is 4,226*l.* 2*s.* 11*d.* This dispute does not lie immediately within the scope of our inquiry; but we state it here because it may possibly, at a future period, lead to some legislative provision materially affecting the town of Boston.

All the works in the harbour have been performed under the direction of those distinguished civil engineers, the late Mr. Rennie, and his son, Sir John Rennie. A very heavy expense has been incurred by the corporation in making a new cut. This was done entirely under the direction of Sir John Rennie. The contract for the work was entered into in the year 1828, and it was commenced at the end of that year, or the beginning of the next. A power was reserved for the engineer to vary the terms of the contract; and payment was to be made according to the extent of the work done. The cut begins about three miles from Boston, and extends a mile in length. There was great difficulty in making the banks of the cut, as it was carried through a shifting sand; and there was great danger of the banks being washed away altogether. The work appears to be very beneficial, not only in improving the harbour, but also in draining the surrounding country. The engineer has lately made a very favourable report of the work. In another part of the river on which the town stands, the engineer recommended making a new cut, and building a wall from the bridge to the quay. The work was done by advertisement, tender and contract, and the contractors gave security. It was stipulated under the sanction of the engineer that a dam should be erected across the river, and a specification of the work was given by him. It was, however, found impracticable. The contractors presented a petition to the corporation stating the loss they had sustained, and showing the difficulties of the work, and the corporation agreed to release them from their contract. The attempt to make the dam across the river having failed, the work could not be done in the manner originally intended, and the corporation ultimately took the business into their own hands, and completed the work. It appears to have been very beneficial to the town.

In the year 1815, a loss was incurred by the harbour trust, by the failure of a banker in whose hands their balance had been placed; and who had given no security. The balance at the time of the bankruptcy was 2,675*l.* 2*s.* 8*d.* and the dividend paid was 843*l.* 19*s.* 9*d.* The banker was a common councilman of the borough, and afterwards was elected an alderman. Since that time security has always been taken of bankers.

The account is not made public.

Borough Rate.

A Borough Rate is levied, and the whole business, relating as well to the levying as to the expenditure, has always been transacted at the Quarter Sessions by the borough magistrates in open sessions. The accounts are annually published in the newspapers, as required by the Act of Parliament. The receipts, consisting of the rate and fines on convictions, have been for the last three years as follows:—

	£.	s.	d.
1831–2	873	10	–
1832–3	1,353	10	6
1833–4	1,078	12	6

A balance

BOSTON.

A balance was due to the borough at the end of the last year of 120*l.* 9*s.* 1*d.* There do not appear to be any items in the accounts for these years beyond the ordinary annual expenditure, except 160*l.* 12*s.* 7*d.* paid for damage done by rioters at an election, and 111*l.* 3*s.* 9*d.* expenses of the returning officer.

Auditing Accounts.

The accounts are audited by a committee of the whole hall, and the mayor and five other members must be present. The accounts are not published; and it did not appear that any application had ever been made to inspect them. Both the mayor and town clerk said, that if such a proposition were made in the hall, they would vote in favour of any one being allowed to see the accounts. They are passed by the surveyor before the audit. The members of the hall do not audit their own accounts; but there appeared an instance of a member being an auditor, who had a bill on the corporation. The chamberlain and erection bailiff select the tradesmen to do the work of the corporation. The surveyor of the corporation was a member of the committee of accounts. He stated the mode of auditing his accounts as follows:—"I audited the last account between the corporation and the bankers. My accounts are audited by the committee whenever I present my bill. My bill only contains the account of the money I pay to the labourers. I receive no profits on these payments. The committee examine my bills. I am a member of the committee, but I never sit on my own bills; I am there to explain my accounts. I certify the correctness of all the accounts; every bill is certified by me before the chamberlain pays it." The erection bailiff stated, that he attended at the audit officially, but took no part in auditing his own accounts; that he always withdrew when they were audited; and that both his accounts and those of the chamberlain were audited at the same time and at the same table, but by different individuals.

Inspection of Corporation Books.

A considerable difference of opinion exists respecting the right of the members of the corporation to inspect the corporation books. One of the aldermen (a solicitor) stated, that the common councilmen had access to the corporation books at all times. It appeared however, that in the year 1824, such inspection had been refused to a common councilman; and that in consequence of it he had obtained a mandamus from the Court of King's Bench. The mandamus, however, only went to the extent of giving him the right to inspect the books, so far as they related to his admission, resignation and re-admission as a common councilman.

The mayor expressed an opinion that every common councilman, by making a proper application, would be allowed to see the books; but he thought there must be an order of the hall for that purpose. The town clerk said, that he understood that the aldermen and common councilmen had a right to inspect the books; but not to take copies, or make extracts, without an order of the hall. The late town clerk, who had held the office many years, said that his impression was, that no member of the hall had a right to inspect the corporation documents without an order of the hall.

State and Prospects of the Town.

We shall now proceed to state several matters respecting the state and prospects of the borough of Boston.

Bribery at Elections.

Bribery at the election of Members of Parliament for the borough has prevailed very generally among the lower class of voters. Indeed it appears to be fully understood, that the regular practice was for the candidates to pay the voters five guineas each for a single vote, and ten guineas for a plumper. This was asserted by the town clerk and the chief constable, and no one came forward to deny it. The town clerk said, that the custom had been discontinued since the Reform Act. The chief constable has been an active partizan at elections, and in addition to his legitimate occupation in keeping the peace during the excitement of an election, he has indulged himself on those occasions in the habit of writing election squibs for one of the candidates. An alderman stated, that fees on admissions to freedom had been paid by members of the corporation to secure votes in a particular interest: and that it generally happened that a great many freemen were admitted on the eve of an election. The same person said, that there had sometimes been a political bias in the distribution of charities; and that he thought that he had himself in giving away coals preferred persons of political feelings similar to his own.

Conviction and prosecution of Barber.

On Thursday the 18th of June 1833, a petition was presented to the House of Commons from Charles Frederick Barber, tailor, an inhabitant of Boston, which occasioned some remarks from several of the members; and was the subject of comment in a newspaper. We think it expedient to state concisely the circumstances which led to and followed the presentation of this petition. Some riotous proceedings had taken place in consequence of an election of members for the borough in 1831, and windows had been broken. It was afterwards agreed at a public vestry of the parish, that the damage done should be paid for out of the parochial rate; the persons assembled at the vestry understanding that no prosecution should be instituted. The magistrates were not parties to this arrangement; and they afterwards preferred an indictment against nine men who were engaged in the riots, and they were convicted and imprisoned. A hand-bill, containing animadversions on the proceedings of the corporation in this matter, was placed in the window of Barber's house in Church-street, Boston, in such a situation as enabled any person passing by to read it. The hand-bill was printed, but had no printer's name. Barber and others who had exposed the bill in the same manner were taken before the magistrates, and fined in the penalty of 20*l.* for publishing

publishing the bill without a printer's name. The justices have the power by statute to mitigate the penalty to 5 *l.*; but the full penalty was levied in these cases. One of the magistrates refused repeatedly to let Barber have a copy of the conviction, another promised that he should have it; but he did not procure it till after a delay of ten months. He refused to pay the penalty, and a distress was levied on his goods. The hand-bill contained charges of the most serious nature against the corporation, and was expressed in the most virulent terms. It is too long for insertion here; but we give some extracts from it. It begins as follows: "An appeal has been made on behalf of the rioters," (the term is ridiculous!) who without timely aid, will be sacrificed by an infuriate corporation, whose breath is infamy, and occupation villainy. Attend to that appeal! Let justice invoke you to a generous sympathy! Arouse your energies! Spare a pittance that will protect the innocent, and avert the blows of hatred, malice and revenge. Enquire into the motives which induced the corporation to prosecute and persecute. Is it from a love of justice? Justice, poh!!! Justice is foreign to their views and alien to their purposes. How just to continue a prosecution engendered by malicious hatred, nurtured by fraud and bribery, and matured by oppression and tyranny! propitious offspring! A nursling worthy the support of a profligate and corrupt oligarchy!"

In another part of the bill are the words following: "Why does disgrace mark their path? Because they detest liberty with a hatred perfectly deadly; because they have oppressed the poor—persecuted the feeble—insulted the virtuous—mocked the pious—committed outrages upon humanity—degraded themselves—and sown dissensions among the people. They are a millstone, a scorpion scourge, whose venom is too deeply and keenly felt. Thank God! retributive justice has had its reward. They walk in the censure of the public eye, and meet with universal execration." Barber having paid the penalty, the magistrates commenced a prosecution against him for a libel, and an indictment was found at the Lincoln summer assizes 1832. The indictment was removed by *certiorari* into the King's Bench, and a motion was afterwards made in that court to change the venue to another county, on the ground that the indictment could not be impartially tried by a jury of the county of Lincoln. A rule was obtained; but on cause being shown against it, it was discharged. The indictment was tried at the summer assizes at Lincoln 1833, and the jury having deliberated four hours and a half, and not being agreed, were discharged without giving any verdict.

Noble's Case.

Another person, named Noble, who was fined, made an apology, which is admitted to have been satisfactory, as to putting the hand-bill in the window; and immediately paid the penalty. Being asked to give the author's name he declined to do so, but did not state whether he was acquainted with it or not. The hall afterwards resolved to prosecute him, and the prosecution was going on at the period of our inquiry.

Paving.

The Paving, Lighting and Watching of the town of Boston is regulated by local Acts of Parliament. 32 Geo. III. c. 80. and 46 Geo. III. c. 40. relate to the paving. There are 111 commissioners under the Acts, of whom 20 are members of the corporation. Any person having property within the borough may qualify as a commissioner. The commissioners elect a committee for the management of business. Under the first Act, the corporation were liable to pay a fifth of the whole expense of passing and executing the Act. In the year 1827, it was agreed that they should pay a compensation of 135 *l.* annually, and that payment is now made accordingly. The following account shews the annual expenditure of the commissioners in 1830, 1831 and 1832.

	£.	s.	d.
1830	893	6	–
1831	899	1	2
1832	1,202	2	1
TOTAL	2,994	9	3
Yearly Average £.	998	3	1

Lighting and Watching.

The Acts regulating the Lighting and Watching of Boston are 16 Geo. III., c. 35; 46 Geo. III., c. 41.

The commissioners for lighting and watching are the members of the corporation, the vicar, lecturer and 77 other persons. 19 *l.* 12 *s.* is paid yearly by the corporation for lighting and watching, besides 10 guineas for gas lights.

	£.	s.	d.
Expenditure for 1830	633	9	4
„ 1831	801	19	3
„ 1832	921	10	10
TOTAL	2,356	19	5
AVERAGE £.	785	13	1½

Extent, Population, &c.

The borough and parish of Boston contains 7,923 acres and 39 poles of land.

Population in 1801	5,926
„ 1811	8,180
„ 1821	10,373
„ 1831	11,240

of whom 5,094 were males, and 6,146 females.

Occupations:—

Families employed in agriculture	149
Ditto, trade, manufactures, &c.	1,234
Ditto not comprized in the above classes	1,104

Annual value of real property, 1833 - £.40,000.

Assessed taxes for years ending 5th April:—

	£.	s.	d.
1829	3,064	13	6
1830	2,979	1	6¾
1831	2,952	14	7
1832	3,005	4	6¼

Parochial assessments for years ending 25th March:—

	£.	s.	d.
1825	4,127	5	—
1829	4,863	3	—
1830	8,810	18	6
1831	8,451	3	—
1832	9,091	19	6
1833	8,578	19	—

Number of houses in 1833 (as charged to the house duty):—

£.10 and under £.20 rent	310
20 „ 40 „	161
40 and upwards	79

Supply of Water.

The town is but indifferently supplied with water, and the inhabitants are under the necessity of buying it in dry seasons. About 50 or 60 years ago, the corporation bored in the market-place, in the hope of finding water, and a private individual did the same thing two or three years ago, but both attempts failed.

Education.

The number of scholars in the grammar school is only 32, of whom 28 are free boys and four boarders. The free boys pay nothing for learning the classics; but for writing, arithmetic, geography and commercial education, four guineas a year are required. English grammar is included under the term commercial education. An equal portion of time is appropriated to each of the two branches of knowledge, and the parents have the choice whether or not their children shall be instructed in the classics. The children of members of the Established Church are taught the Church Catechism, but those of dissenters are not. The course of study is left to the master, and there is no visitor of the school. The children of Boston, however, are said to be generally educated. The Sunday schools contain 800 scholars. All the inhabitants of the borough may educate their children at the National or British schools, by paying one penny a head per week. The corporation subscribe to the National but not to the British school.

Dispensary.

There is a Dispensary in the town, and the mayor (who was a medical practitioner) thought that an hospital was much wanted, but said he did not see how it could be supported.

Trade, Shipping, Agriculture, and Employment of the Poor.

The state of trade appears to be by no means flourishing at Boston. Two great failures of bankers in the year 1814, for the sum of 600,000*l.* occasioned great distress. There have been many compositions with creditors, bankruptcies and insolvencies of late. The state of shipping and of agriculture were said to be much depressed; and the excessive competition in all branches of trade occasioned profits to be very low. The mayor said that he thought full half the poverty in the town was occasioned by dissoluteness and drunkenness; that the Beer Bill had been very injurious to the lower classes; that there was not a great scarcity of work, but that many applications were made to the overseers for relief by idle persons who would not work. Another person stated, that he thought the labourers were generally out of employment for a fourth part of the year, and that their condition was on the whole worse than formerly. It seems, however, difficult to reconcile this opinion with what had been just previously stated; that the average wages of labour in the town was 2*s.* 6*d.* a day, and those of agricultural labourers, 2*s.*

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12 T 3

RETURN of the NUMBER and TONNAGE of SHIPS cleared Inwards and Outwards, from and to this Port, distinguishing those engaged in FOREIGN TRADE from those engaged COASTWISE, including IRELAND; and distinguishing the Shipping of the Port itself, for Twenty Years, ending in 1832; also, a Statement of the Receipts during that Period.

YEARS.	Number and Tonnage of Foreign Trading Vessels.				Number and Tonnage of Coasting Vessels, including Ireland.				TOTAL Number of Vessels belonging to the Port.	RECEIPTS.
	OUTWARDS.		INWARDS.		OUTWARDS.		INWARDS.			
	Ships.	*Tons.*	*Ships.*	*Tons.*	*Ships.*	*Tons.*	*Ships.*	*Tons.*		£. s. d.
1813	6	762	25	3,822	753	53,654	845	57,359	171	28,132 17 8½
1814	4	456	12	1,757	710	48,753	732	48,796	162	20,213 17 8½
1815	7	819	17	2,246	794	50,793	763	47,915	139	17,889 8 11
1816	12	1,851	5	800	808	53,486	740	48,204	125	11,758 16 8½
1817	51	5,029	7	1,436	834	49,557	853	48,755	128	12,974 12 2½
1818	- -	- -	40	5,347	693	40,335	823	49,212	121	18,950 6 11½
1819	- -	- -	28	4,628	- -	- -	- -	- -	128	20,156 12 1
1820	- -	- -	14	2,586	- -	- -	- -	- -	125	20,447 3 6½
1821	3	244	11	1,937	- -	- -	- -	- -	121	12,034 13 5½
1822	2	234	13	2,404	- -	- -	- -	- -	117	14,389 19 3½
1823	- -	- -	16	3,123	838	46,431	767	45,556	123	16,915 5 4½
1824	- -	- -	24	4,405	841	45,894	835	46,519	131	19,921 15 9½
1825	- -	- -	55	7,555	827	44,812	852	49,763	133	26,509 7 1
1826	- -	- -	68	6,270	653	33,995	898	51,804	145	17,721 6 2½
1827	2	124	56	6,464	518	26,136	828	46,255	149	26,461 6 2½
1828	2	137	54	5,605	719	38,665	767	43,499	148	17,598 10 9
1829	2	275	39	5,387	645	34,385	834	46,339	152	21,840 18 7
1830	- -	- -	35	4,399	633	33,256	825	45,061	156	17,511 18 8
1831	- -	- -	38	5,184	733	38,358	1,064	58,049	165	12,507 13 2
1832	1	80	29	4,585	804	40,003	1,508	79,095	174	8,884 19 7

The Documents for Coasters Inwards and Outwards for four years, 1819 to 1822, have been destroyed or mislaid amongst the old papers at the Custom-house.

LINCOLN-SHIRE.

BOSTON.

A RETURN of all DUTIES, RATES and TOLLS (other than Dock Dues imposed by Act of Parliament) levied by any Corporation or Individuals on Shipping or on Goods Imported into or Exported from this Port; together with a STATEMENT of what Class of Persons (if any) are exempt from the same, and also of the Authority under which they are Levied, and the Amount thereof during the Years 1830, 1831 and 1832.

Denomination and Description of Duty Rate or Toll.	Upon what Class of Shipping, or on what Articles of Import or Export, charged.	Rate of Duty.	Produce of Duty in the Years 1830. £. s. d.	1831. £. s. d.	1832. £. s. d.	By what Corporate Body or what Individuals Levied.	Under what Authority Levied.	How Applied.	What Class of Persons (if any) Exempt.
Boston Harbour, viz.:	-- All ships and vessels entering within the limits of the port and harbour, or sailing therefrom, if laden	6*d.* per ton -	- -	- -	- -	-- Mayor and Burgess of the Borough of Boston, being the Trustees named in the Acts of Parliament -	-- 52 G. III. c. 105. and 8 G. IV., passed 14 June 1827.	-- The Works, as directed by the Acts for the improvement of the Port and Harbour of Boston, and in discharge of monies borrowed of Government, expended in the execution of the Works, of which loan £. 1,600 is yet unpaid.	-- None.
Lastage - -	-- For every quarter of wheat shipped or landed within the port and harbour -	1*d.* per quarter	2,573 16 6½	2,281 6 6	3,187 11 8				
	-- Oats, barley, or any other kind of grain, corn or pulse, ditto - - - -	½*d.* per quarter	- -	- -	- -				
Dover Harbour Tolls	-- All ships and vessels passing to and from foreign parts, &c., coastwise, if laden - -	1½*d.* per ton -	6 13 7½	2 7 3	5 13 6	Harbour Trust.	Acts of Parliament	Unknown.	
Ramsgate Harbour ditto - -	- - ditto - -	2*d.* ditto -	10 4 6	3 11 4	7 19 4	- ditto - -	- ditto - -	- ditto.	
Lights:									
Winterton and Orford - -	- - - - -	½*d.* per ton each time of passing laden	42 15 6	54 - 9	50 8 5½	- - -	F. Reade, Esq.	- ditto.	
Harwich -	- - - - -		39 11 2	51 10 10	47 2 -	- - -	T. H. Budd, Esq.	- ditto.	
Spurnshore -	-- Vessels from		24 8 4	24 11 3½	41 18 3				
Hunstanton -	and to foreign	8*d.* per 20 ton do.	49 5 6½	59 8 6	62 2 10	- - Collection	Sam[l] Lane, Esq.	- ditto.	
Dungeness -	parts and coastwise, except fishing vessels - -	1*d.* per ton do.	2 17 5	2 7 5	2 12 4½	authorized by Commissioners under Boston Pilot Acts - -	T. W. Coke, Esq.	- ditto.	
Longships -		½*d.* do. - -	- 9 9	- 13 9½	1 10 8				
Smalls - -			- - -	- 7 -	- 2 9½				
Skerries - -	- - - - -	1*d.* per ton do.	- -	- 14 -	1 11 8		F. Read, Esq.	- ditto.	
Tynemouth -	- - - - -	1*s.* per ship, & ⅛ of 1*d.* per ton, if laden	1 11 8½	- 18 7	- - -	- - -			
Pilot Tonnage -	- - - - -	1*d.* per ton if do.	176 9 4	226 7 10	270 9 2	- - -	Acts of Parliament	- ditto.	

Working of the Constitution.

The political character of this corporation is visible in all its parts, and in all its operations. Freemen are admitted on the eve of an election, and the fees of admission are paid for them by members of the ruling body. The subordinate officers are removable at pleasure, and they all vote for the corporation candidate. The common council has a strong party character; and although two political opponents have found their way into this body, it appears that they would have had little chance of being elected if their opinions had been known to the electors. It is from this council that the aldermen and magistrates are chosen, and the chief magistrate again from the aldermen, so that the same exclusive political character is transferred to the whole magistracy of the borough. No corporate officer is amenable to the inhabitants for his official conduct.

A consequence of the exclusive system upon which the municipal authorities have acted is apparent in their inability to preserve the peace of the town at periods of political excitement. The inhabitants will not co-operate in support of the magistracy; and when special constables have been sworn in, they have refused to act, even while the most violent attacks were made on the property and houses of the magistrates. Such has been the effect produced by this state of things, that persons have declined to become members of the corporation, lest they should no longer live at home in security. Nor is this matter of surprise, considering the character of the police which the corporation has established in the borough. The head of that police is one of the most active partisans who prepares himself for election riots by composing election squibs, and piques himself upon this accomplishment. The constables under his command are all selected from the same party. In the appointment of an overseer, the persons recommended by the parish were in a recent instance passed over, in favour of an active partisan, whose previous conduct while in office had been condemned by a resolution of the vestry, and made the subject of an action.

Charitable distributions to the poor have been regulated by the same party feeling. The mayor, indeed, and another alderman, denied that they had ever made such distinctions, and their denial was not met by contradiction; but another magistrate not only admitted the distinction as one that was generally made, but justified it by saying, that "he did not know who would not do the same."

A portion of the charter property is appropriated to the maintenance of poor beadsmen. and it is admitted that, in the absence of particularly strong circumstances, the beadsmen selected are political supporters of the corporation.

Another fund is appropriated to assist poor freemen in trade by loans, to be repaid at the end of 20 years. In one instance only could the application of this money be traced, and in that instance it was advanced to a zealous political partizan of the corporation. He was a master tailor, having indeed a large family, but then in good business. His circumstances are now changed, and instead of deriving from the bounty that assistance in his trade which was contemplated by the donors, he has fallen back into that state in which he should have started to justify the loan. He has now become a poor freeman, and there is no probability that the money will ever be repaid.

There is no official entry of this or of any other loan advanced out of the fund. It appears, however, that two bonds for 10*l.* each were given in 1818, and a third in 1819: the rest are all of longer standing than 20 years; and the town clerk knew nothing about them, except that they were outstanding.

The same Magistrate who justifies these party distinctions in the distribution of charities has secured to himself an annuity out of the profits of a municipal office. He went, with his two brothers, all members of the ruling body, to vote a common councilman into the office of town clerk, on condition of receiving 170*l.* a year out of his official emoluments. This bargain was sanctioned by a brother magistrate, who, when he was consulted as a friend on the occasion, recommended the arrangement to the town clerk as a desirable thing. Nor was the transaction a secret between these two functionaries and their friends; it was known to other members of the corporation, and they ratified it by the election. The same individual who now enjoys this annuity by permission of the council, has not only practised in the borough court, of which he is a judge, carrying on his professional business as an attorney, in another name; but he has sat upon the magistrates' bench while he was acting himself as attorney, and though requested by another alderman to withdraw, he continued to sit there, urging the claims of his client. His own explanation is, that "he did not act as an attorney, but as a friend." He made no charge for his trouble, but when the person he befriended laid two sovereigns on the table he took them up, "not as a magistrate, but as an attorney."

The chief constable of the borough, who is also the receiver of assize returns and inspector of corn returns, with a salary from each appointment, amounting in the whole to 106*l.* a year, is a clerk in the office of the same magistrate. He was very free in his answers upon all other subjects, but upon being asked concerning the remuneration he received as clerk, he declined answering the question.

The character of other official appointments appears in the following instances:

A grammar school was endowed by the charter of Philip & Mary, and the appointment of the master given to the corporation. They appointed a clergyman, who had married a sister of an alderman. He continued master of the school for 35 years. The school, which had formerly been a very large one, went on decreasing during this period, and at length the number of scholars was reduced to three. The annuity of 80*l.* a year, which has been already mentioned, was given to him to induce him to resign; and it was stated by the mayor, that there was great difficulty in persuading him to do so. Thus a great part of its revenue is now diverted from the purposes of the school, for the payment of this pension.

The Harbour Fund is under the management of the corporation, and one of the aldermen

BOSTON.

is clerk of the trust. Another, when a common councilman, was the banker; and although it was usual to require security from the banker, it was dispensed with in his favour. He became a bankrupt with a considerable balance in his hands. The loss to the trust fund has been stated.

In the existing state of the corporation, the municipal offices of the borough have been declined by respectable inhabitants. There are now three vacancies in the council, and the only individuals who have expressed their readiness to take office are avowed enemies of the corporate body and its privileges.

Local Acts.

The following is a list of the local Acts relating to Boston:—

11 Geo. III.—" An Act for dividing and inclosing the Common Fen, belonging to Boston West, in the County of Lincoln."

15 Geo. III.—" An Act for lighting and watching the Streets, Lanes and other Public Passages and Places within the Borough of Boston, in the County of Lincoln, and for removing and preventing Nuisances, Annoyances and Obstructions therein."

16 Geo. III. c. 35.—" An Act for lighting and watching the Streets, Lanes and other Public Passages and Places within the Borough of Boston, in the County of Lincoln, and for removing and preventing Nuisances, Annoyances and Obstructions therein."

16 Geo. III.—" An Act for the better regulation and government of the Pilots conducting Ships and Vessels into and out of the Port of Boston, in the County of Lincoln, and for affixing and setting down Mooring Posts upon the Banks or High Marshes within or adjoining to the Haven and Harbour of the said Port; and for affixing and laying down Bridges over the Creeks upon the Marshes within or adjoining to the said Haven and Harbour; and for preventing mischiefs by Fire in the said Haven and Harbour."

32 Geo. III.—" An Act for amending an Act of the sixteenth year of His Majesty, relating to the Haven and Harbour of Boston, in the County of Lincoln, and for regulating the mooring and removing of Ships and other Vessels, within the said Haven and Harbour, and for removing Obstructions therein."

32 Geo. III.—" An Act for better cleansing and otherwise improving the Borough of Boston, in the County of Lincoln."

42 Geo. III.—" An Act to empower the Mayor, Aldermen and Common Councilmen of the Borough of Boston, in the County of Lincoln, to take down the Bridge over the River Witham, in the said Borough, and to erect a Bridge over some other part of the said River, within the said Borough, and to open and make proper Avenues, Ways and Passages thereto; and to enlarge and improve the Gaol and House of Correction within the said Borough, and to purchase and take down several Houses for the purposes aforesaid."

46 Geo. III.—" An Act for amending and rendering more effectual an Act passed in the 32d year of His present Majesty, for better paving, cleansing and otherwise improving the Borough of Boston in the County of Lincoln."

46 Geo. III. c. 41.—" An Act for amending and rendering more effectual an Act passed in the sixteenth year of his present Majesty, for lighting and watching the Streets, Lanes and other public Passages and Places within the Borough of Boston, in the County of Lincoln, and for removing and preventing Nuisances therein."—[23 May 1806.]

47 Geo. III.—" An Act for the more speedy and easy Recovery of Small Debts in the Borough of Boston, and the Hundreds of Skirbeck and Kirton (except the Parishes of Gosberton and Surfleet) in the County of Lincoln."

50 Geo. III.—" An Act for inclosing Lands in that part of the Parish of Boston, in the County of Lincoln, called Boston East."

52 Geo. III.—" An Act for improving the Port and Harbour of Boston, in the County of Lincoln; and for fixing the Wharfage of Goods landed within the said Port and Harbour, and for better maintaining the Buoys, Beacons and Seamarks belonging thereto."

6 Geo. IV.—" An Act for lighting with Gas the Borough and Neighbourhood of Boston, in the County of Lincoln."

8 Geo. IV.—" An Act to extend and enlarge the Powers of an Act passed in the 52d year of his late Majesty, for improving the Port and Harbour of Boston, in the County of Lincoln."

Documents sent with the Report.

We send the following Documents with the Report:

1. Copies of the Charters of 37 Hen. VIII. and 1 & 2 Philip & Mary.
2. A List of the Names, Professions and Ages of the Officers of the Corporation.
3. Table of Fees taken by the Clerk of the Peace.
4. Ditto by the Clerk of the Justices.
5. Gaol Return.
6. Account of the Corporation Property.
7. Account of Property sold within the last 50 Years.
8. Account of the Permanent Debts of the Corporation.
9. Account of Charities administered by the Corporation.
10. Erection Bailiff's Account, 1832-3.
11. Chamberlain's Account.
12. Harbour Accounts, from July 1832 to July 1833.
13. Abstract of Treasurer of the Borough's Account for 1831-2, 1832-3, 1833-4.

Geo. Long.
John Buckle.

REPORT

ON

THE BOROUGH OF BURY ST. EDMUNDS,

(SUFFOLK.)

CONTENTS.

	Page.
I. Limits, Extent and Population	2171
II. Incorporation and Charters	2171
Charter of Hen. 1.	2171
4 Jas. 1.	2171
6 Jas. 1.	2171
12 Jas. 1.	2171
20 Car. 1.	2171
III. Corporate Body and Constitution	2171
Title	2172
Enumeration of Officers and Freemen	2172
Election of Officers	2172
Common Council, Alderman	2172
Common Council, Assistants	2172
Common Council, Capital Burgesses	2172
Common Council, Burgesses of the Common Council	2172
Recorder	2173
Coroner	2173
Town Clerk	2173
Serjeants at Mace	2173
Receiver	2173
Criers	2173
Fines	2173
Admission of Freemen: by Office	2173
as Attornies	2173
Official Functions and Privileges:	
Common Council	2173
Select Body	2173
Alderman	2174
Assistants	2174
Capital Burgesses	2174
Burgesses of the C. C.	2174
Other Officers	2174
Privileges of the Freemen	2175
Observations on the Working of the Constitution	2175
IV. Jurisdiction: Extent	2176
Magistracy	2176
Courts, Sessions, General	2176
Petty	2177
Civil	2177
Leet	2177
Pie Poudre	2177
Police	2177
Gaol	2177
Licenses	2178
V. Property	2178
Lands and Tenements	2178
Tithes	2178
Tolls	2178
Rent-charge	2178
Income	2178
Permanent Annual Charges	2178
Fee-farm Rent	2178
Stipends to Parish Ministers	2178
Charities	2178
Debts	2179
Expenditure; Ordinary	2179
Extraordinary	2179
Alienations	2180
VI. Patronage	2180
VII. State of Town	2180
VIII. Documents	2180
Population	2180
Occupations	2180
Houses	2180
Parliamentary Constituency	2180
Property	2180
Local Taxation	2181
Local Acts	2181

BOROUGH OF BURY ST. EDMUNDS.

I. LIMITS, Extent and Population.

THE Borough of Bury St. Edmunds is co-extensive with the two parishes of St. James and St. Mary, and includes the whole of the town; it contains 2,934 A. 3 R. 36 P. with a population of 11,436 inhabitants.

II. INCORPORATION and Charters: Prescription.

Bury is a Borough by Prescription; and the prescriptive privileges of the inhabitants, with those derived from various early charters, were confirmed by James 1, in the fourth year of his reign.

Of the early charters nothing definite is known, not even their dates. The only one specifically mentioned in that of James is a charter of Henry 1, exempting the burgesses from tolls and customs in all fairs and markets throughout the kingdom. Hen. 1.

By the 4 James 1, the Burgesses and Inhabitants are incorporated under their present title and constitution; and this is considered the governing or leading charter. A translation accompanies our Report. 4 Jas. 1.

In the sixth year of the same reign, a second Charter was granted, making no change in the municipal constitution, but endowing the corporation with the tithes and other property, formerly belonging to the monastery of Bury, in addition to the fairs, markets and tolls of the borough; a gaol was also granted, with the office of keeper. 6 Jas. 1.

The conditions attached to these gifts were; 1st, the payment of a fee-farm rent to the Crown; 2d, an annual payment to two parish ministers; 3d, a liability to repair the chancels of the churches, the toll-house, the gaol and bridges; and 4th, the erection of a market cross, for the sale of grain and other commodities. At the same time, the corporation was invested with the office of bailiff and collector of the Crown rents within the borough, and made responsible for the payment to the receiver-general of the county.

A third Charter was granted in the 12th year of the same reign; and the following is a summary of the changes it made in the constitution and jurisdiction of the borough, with the additions to the corporate property. 12 Jas. 1.

A select body of the burgesses was intrusted with the election of two Members of Parliament.

The office of coroner, with an exclusive jurisdiction, was granted.

A discretionary power was given to appoint two additional assistant justices, and two additional serjeants at mace.

All officers were made removeable by the alderman or recorder, and the select body of burgesses.

The fine for refusing to serve office was raised from 20 *l.* to 50 *l.*

The borough justices were empowered to hold sessions of the peace, and their jurisdiction was made exclusive.

The power of the civil court was extended to actions for damages not exceeding 200 *l.* The damages had previously being restricted to 50 *l.*

All resident burgesses were exempted from service as jurors without the precincts of the town.

A view of frankpledge, with its incident court, was established.

The period for holding the fairs was lengthened.

The property was increased by the addition of the rectory, vicarages, advowsons, churches and all other tithes within the borough, not given by the former charter; together with all fines imposed on offenders, forfeitures of recognizances, amerciaments levied on defaulters, the goods and chattels of felons, waifs, estrays and cattle called magnain.

The next and last Charter is the 20 Charles 2, which confirms all these privileges; regulates the appointment of the recorder; fixes the fines, as well for refusing to serve the office of alderman, capital burgess, and burgess of the common council, as for non-attendance at the council; and prohibits all strangers or foreigners, not being freemen of the borough, and not having served an apprenticeship of seven years, from exercising any occupation or trade within its liberties, under a penalty of 40 *s.* a month. 20 Car. 2.

III. CORPORATE Body and Constitution.

The persons incorporated by these charters are, the Burgesses and Inhabitants of the Borough or Town of Bury St. Edmunds.

The

BURY ST. EDMUNDS.

The Title of the Corporation is, "The Alderman and Burgesses of Bury St. Edmunds, in the County of Suffolk."

1. ENUMERATION of Officers and Freemen.

The Officers named in the charters are,

An Alderman 6 Assistants 12 Capital Burgesses 24 Burgesses of the Common Council	The Common Council, and Governing Body.
A Recorder.	
Town Clerk.	
Coroner.	
Four Serjeants at Mace.	

The only other Officers are—
A Receiver and
Two Town Criers.

The number of Freemen, in addition to the officers enumerated, does not exceed 12; and of this number two are non-resident.

2. ELECTION of Officers.

Alderman.

The Alderman is annually elected on the Thursday before the feast of St. Bartholomew.

The Electors are the alderman then in office, the capital burgesses and the burgesses of the common council; and a majority of each class must be present to form a valid assembly.

The capital burgesses alone are eligible to the office.

A power of amotion from this and every other corporate office is vested in an assembly composed of the alderman or recorder, and a majority both of the capital burgesses and burgesses of the common council.

In case of amoval, departure or death, another alderman may be elected for the remainder of the year by the capital burgesses and burgesses of the common council, or a majority of each class.

It has long been the practice to elect the capital burgesses in rotation, and the only departures from this practice have originated in party feuds, not occasioned by any difference of political opinion or public principle, but by an attempt on the part of two influential members and their respective friends, to gain an ascendancy in the corporation. Each party strove, by excluding from office the friends of the other, to secure to itself the advantages accruing from those corporate privileges, which will be stated in the sequel of the Report. In 1810, while this struggle was going on, the capital burgesses absented themselves altogether from the elective assembly, and the election of an alderman did not take place till a mandamus issued from the Court of King's Bench. The struggle at length terminated in the ascendancy of one of the parties, and this rule of rotation is now the rule of election.

Assistants.

The Assistants are annually elected by the same body as the alderman; and at the same time and place.

The same provision is also made for departure, death or amoval. The number may vary from four to six, at the discretion of the electors; at present there are six. All the inhabitants are eligible, and this office has, in a few instances, been filled by persons not in the corporation; but the general practice has been to select the capital burgesses, and in the absence of strong personal objections, to leave their nomination to the alderman.

In 1810, the same party feuds to which we have already adverted, rendered the application for a mandamus necessary to fill up these offices.

Capital Burgesses.

The Capital Burgesses are elected for life by the same body, and subject to the same amoval. All the burgesses and inhabitants of the borough are eligible, but the burgesses of the common council are always elected. The practice has been, when a vacancy occurred, to offer the office to the senior of that body. In 1817, on a junior being preferred by the other class of electors, the capital burgesses again seceded from the assembly, and it was again necessary to apply for a mandamus.

There are no vacancies at present, but the office has frequently been declined by burgesses of the council; and one reason stated for declining it is, that it leads to that of alderman, which is considered both troublesome and expensive. Two of the body are non-resident, but they live in the immediate neighbourhood.

Burgesses of the Common Council.

The Burgesses of the Common Council are elected for life by the same body, and subject to the same amoval. All the inhabitants are eligible. In practice the vacancies are generally filled up by the alderman, from the tradesmen of the town.

As long as the elective assembly was divided by the two opposing parties before mentioned, frequent divisions and contests took place on the election of these burgesses; and there was an understanding that the successful candidate should at all future municipal elections vote with the party that introduced him into the corporation. At present, the only condition attached to admission is, that the persons chosen will not decline to serve the office of capital burgess.

There has been no political exclusion from this body, but a bias exists in favour of persons whose political opinions coincide with those of the majority. A stronger bias prevails in favour of churchmen, and no dissenters have been elected.

Before the passing of the Reform Act, another cause of exclusion prevailed. Tradesmen in the corporation were unwilling to share their corporate privileges with others in the same trade.

trade. The present alderman is a bookseller, and he states that his own election was probably delayed, because there was another bookseller in the council.

The cause of this jealousy will be found in the privileges of the select body. Both the jealousy and its cause have now ceased by the operation of the Reform Act.

These elections do not at any time appear to have been directed or influenced by the public feeling of the town, and latterly invitations to join the corporation have been declined by many respectable inhabitants. The town clerk has refused to become a member while the system of self-election continues; and the same objection seems to be felt by others.

At present there are no vacancies, and all the members reside within the borough.

Recorder.

The Recorder is elected by a majority of the alderman and capital burgesses, and a majority of the burgesses of the common council; and he holds his office during the pleasure of the alderman and burgesses. The charters require that he should be learned in the law, and he now is, and always has been, a barrister.

Coroner.

The alderman, after the expiration of his year of office, becomes Coroner for the ensuing year.

Town Clerk.

The Town Clerk is appointed by a majority of the alderman and capital burgesses during their pleasure; he is required by the charters to be "learned in the law," and he has always been an attorney of the superior courts of Westminster.

Serjeants at Mace.

The Serjeants at Mace are appointed by the alderman or recorder, and capital burgesses, during the pleasure of the alderman and capital burgesses: all persons are eligible.

Receiver.

The Receiver is annually appointed by the alderman and burgesses, and is removable by them. This office is held by one of the capital burgesses, but any other person is eligible.

Criers.

The Criers are appointed and removable in the same way as the serjeants at mace, but the alderman must vote in their appointment.

Fines.

The charter of Charles 2 empowers the common council to impose a Fine not exceeding 50*l.* on any inhabitant refusing to accept the office of alderman, capital burgess, or burgess of the common council: this fine has occasionally been imposed. The same charter imposes a fine of 5*s.* on every capital burgess, and 2*s.* 6*d.* on every burgess of the common council, for non-attendance at the council: these fines are never exacted.

3. Admission of Freemen.

The officers of the corporation become free on taking the oaths of office; and every attorney admitted to practise in the borough court of record is admitted to his freedom by the alderman and capital burgesses. These officers and attornies constitute the body of Freemen at the present time.

The town clerk states, as a matter of tradition handed down from his predecessor in office, that there was formerly in this borough a large body of freemen, and that birth and apprenticeship gave a title to admission. For many years no applications have been made by persons so entitled, and we could only find one solitary instance of admission by servitude; the franchise is consequently restricted to a few individuals, and the inhabitants at large, though incorporated by charter, have not been admitted to the freedom of the borough.

4. Official Functions and Privileges: The Common Council.

The alderman, assistants, capital burgesses, and burgesses of the common council, constitute the Common Council of the borough.

The municipal government is placed by the governing charter in the hands of this Council, which is empowered to make laws for the government of the borough; to regulate the conduct of the Officers, Inhabitants and Residents within its precincts in their respective offices and trades; and to punish all offenders against its laws, by fines and imprisonment. No such laws are in existence, nor does it appear from the records of the corporation that the powers of the council have ever been exercised. The management of all corporate concerns has passed into the hands of a select body of its members, from which the assistants are excluded.

Select Body.

This Select Body, composed of the alderman, the capital burgesses and burgesses of the council is the principal elective assembly, and has a power of amotion extending to all corporate officers. It claims and exercises the power of making orders and bye-laws for the internal regulation of all corporate concerns, and only recognizes the power of the council to make laws for the general government of the borough.

It also exercises the patronage of the corporation, and has the sole and uncontrolled management of its property and finances.

The practice in the elections, both of magistrates and of its own members, has been stated.

The management of the property is entrusted to a committee, composed of two capital burgesses and five other members of the council, who are annually appointed in regular rotation. This committee reports to the select body, by whose order and direction all the leases are made (*see* Property).

A second committee is appointed to examine the bills and audit the accounts. It is selected and composed in the same way as the former, and for the same periods. This rule of rotation is not departed from even when members of the committee are employed as tradesmen

BURY ST. EDMUNDS.

tradesmen of the corporation, and have consequently bills of their own to be examined at the audit: nor is it the practice of these members to withdraw upon such occasions. They therefore occasionally join in passing their own bills and in auditing the annual account in which they appear.

Until the Reform Act was passed, this select body had the exclusive privilege of electing the Members of Parliament for the borough. In the exercise of this privilege, the invariable practice for many years has been to elect their representatives from the families of two peers of opposite politics, residing in the neighbourhood of the town. The Duke of Grafton and the Earl of Bristol were each allowed to nominate one of the members, without any reference to the political opinions of their nominees, and notwithstanding such opinions were frequently opposed to those of a majority of the electors. The motive assigned for this transfer of their privilege and trust was, the benefit conferred on the town by the joint patronage of these two families.

It was stated to us by the most influential member of the corporation, that he considered the advantages which the inhabitants derived from this source were sufficient to outweigh any difference of political opinion between the representatives and their constituents. The benefits instanced were, donations for charitable and public purposes, and money laid out with the tradesmen of the town. It did not, however, appear, that the other inhabitants were equally sensible of these benefits, or that tradesmen unconnected with the corporation, have received their share of the money laid out; while on the other hand some benefits were instanced by a highly respectable resident in the borough, to prove that the patrons have not been unmindful of the personal interests of those electors, who waiving any difference of political opinion, had uniformly acquiesced in their nominations. Burgesses, he says, have been promoted to lucrative public offices, without any apparent title to such promotion; and in some cases, in spite of notorious incompetency. Receivers-general for the county have been selected from their body; and a former town clerk was appointed clerk of the peace for Suffolk, who was notoriously unfit to perform the duties of his office. This statement was not denied.

Thirty of this body are now registered as voters, and they form about one-twentieth part of the new parliamentary constituency.

Alderman.

The constitutional functions of the Alderman as an elector, and a member of the common council, have appeared. His separate official functions within the borough are those of—

Justice of the peace and chairman of the quarter sessions,
Presiding judge of the court of record,
One of the stewards of the court leet,
Clerk of the fairs and markets,
Returning officer of Members elected to serve in Parliament,
Keeper of the borough gaol, by himself or deputy.
Coroner, in case of the death or removal, or absence of that officer,
One of the paving commissioners,
One of the guardians of the poor.

In addition to these offices within the borough, he is also—

A commissioner of the Bedford Level, and a joint trustee, with the two ministers of Bury, of the funds of Calthorpe's Charity, with the privilege of selecting its objects.

On the expiration of his year of office, he becomes coroner for the ensuing year.

The alderman has no fixed salary, but the corporation vote him annually a sum of money towards defraying the expenses of the office, and the sum allowed for some years past, has been 100 *l.* There are certain fees and fines to which he is entitled by the charters; but they pass into the general funds of the corporation. The expense of serving the office is estimated at 300 *l.*; and the greater part of this sum is spent in entertainments. This expense deters some persons from accepting the office.

We have previously stated that, in practice, the alderman enjoys the privilege of appointing six magistrates, and filling up vacancies in the corporation: he has also a casting vote upon all occasions, except at the elections of Members of Parliament.

Assistants.

The Assistants are justices of the peace within the borough; they are also members of the common council, but not of the select body.

Capital Burgesses.

The principal functions of the Capital Burgesses are those which they exercise as electors and members of the select body. They are exclusively eligible to the office of alderman and chief magistrate; and, in practice, it has been seen, that they generally furnish the whole resident magistracy of the borough: they are also trustees of a charity called Johnson's Charity, with the privilege of selecting its objects; auditors of the accounts of Calthorp's Charity; guardians of the poor of the borough; and commissioners of the Bedford Level.

Burgesses of the Common Council.

The Burgesses of the Common Council are a constituent part of the select body, and are alone eligible to be capital burgesses; but they have no separate functions.

Recorder.

The Recorder is a justice of the peace within the borough; a judge of the court of record; a steward of the court leet; a paving commissioner; and a guardian of the poor. He receives no salary nor other emoluments.

The

Coroner.

The Coroner, in addition to the ordinary duties of his office, is a justice of the peace. He receives neither salary nor emoluments. The statutable fees are paid to the town clerk, who attends the inquests.

Town Clerk.

The Town Clerk records the proceedings of the corporation, and has the custody of all their documents, with the exception of the charters, which are in the custody of the alderman, the recorder, and the senior feoffee of the Guildhall feoffment. He is clerk of the peace; clerk of the magistrates; clerk and registrar of the court of record; joint steward of the court leet; and he assists at the coroner's inquests. His salary is 25 *l.* per annum, and the whole emoluments of the office, arising from various sources, are estimated at about 80 *l.* per annum.

Serjeants at Mace.

The Serjeants execute the criminal and civil process within the borough, and are the official attendants on the alderman. They also form a part of the police.

The salary of each is 12 *l.* per annum, with suits of livery, besides their fees on the service of process.

Receiver.

The Receiver is the treasurer, steward and accountant of the corporation. His accounts are audited by a committee of the select body. (*See* Committees.) He is also treasurer and accountant of Calthorpe's Charity.

His salary is 20 *l.* per annum.

Town Criers.

The Town Criers each receive 6 *l.* per annum, with suits of livery, besides the usual emoluments of such an office, depending on the extent of their employment.

5. Privileges of the Freemen.

The Freemen, and apprentices after seven years' service, have, by charter, the exclusive privilege of trading in the borough; and all other traders are subject to a penalty of 40 *s.* a month. This penalty, however, is not now enforced.

By charter, also, the Burgesses and Inhabitants are exempted from tolls in all fairs and markets throughout the kingdom; but the exemption is not allowed even within the borough, for the inhabitants pay toll to the corporation.

The only other privilege is an exemption from serving on juries "before any foreign judge or in any foreign matter."

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6. Observations on the Working of the Constitution.

From the facts we have now adduced, it appears that a few individuals, uninvested with any representative character, and uncontrolled by any local responsibility, have become the depository of all the municipal powers and privileges of the borough. This self-elected body appoints the local magistrates, manages without publicity the property granted to the inhabitants, and exercises all the patronage of the corporation.

In the exercise of their trust we find that the magistracy, offices and freedom of the borough, open by charter to all the inhabitants, have been exclusively conferred on the personal friends and adherents of the alderman, or some influential member of their own body. No individual has been selected for services rendered to the town, or because he had acquired the confidence of his fellow-townsmen; on the contrary, it is said that "the man rejected by the corporation would be the one selected by the inhabitants;" and while, in the case of dissenters, it appears that the existence of religious scruples has operated as a cause of exclusion, the absence of political scruples in others has operated as a title to admission.

As long as two rival factions were struggling for ascendancy in the corporation, a tacit pledge was exacted from every candidate for admission, that he would support his party at all future municipal elections; and the elective power being thus restricted, on the introduction of each new elector, was, and still continues to be, afterwards exercised without any reference to the greater or less degree of fitness for the magisterial and other offices. The alderman's nominee becomes a burgess of the common council, the senior burgess of the council a capital burgess, and each capital burgess, in turn, becomes alderman and chief magistrate, with the privilege of nominating the other acting magistrates of the borough. The choice of a chief magistrate is consequently a matter of rotation, and the choice of the other magistrates a matter of nomination. Any deviations from this practice have been for the sole purpose of setting aside partizans of the opposing faction; and upon these occasions the opponents have seceded altogether from the elective assembly, and neither magistrates nor burgesses could be elected till the Court of King's Bench interfered.

The members of this body, we have observed, were principally tradesmen in the town; and while they were allowed to act as the electoral college of the borough, they were looking to the corporate offices as sources of increased custom to their shops. During this period, to be engaged in the same trade as one of the members, was a sufficient cause of exclusion from the college. One bookseller kept out another; and it seems that the same individual, who was this year selected to be the chief magistrate of the borough, could not a few years ago find a place in the corporation, because there was already a bookseller in office.

This jealousy of rival traders originated in the abandonment of that constitutional trust, with which they had been invested by the charter of James. Their votes were bartered with peers of the realm for the custom and patronage of their houses. Professing to act on the notion of benefiting the town, by making political opinion secondary to the advantages which its trade derived from the patronage of wealth, they adopted a principle in perfect accordance with their own personal interests as tradesmen; but while we look in vain among the unprivileged traders of the town for the diffusion of this patronage, its effects have been traced beyond the precincts of the borough, in the appointment of electors to offices of public importance; and, in one instance at least, without any regard to official competency.

BURY ST. EDMUNDS.

This electoral privilege, and its emoluments, have been taken away by the Reform Act; and difficulties are now experienced in filling up the vacancies that occur. The offices of the corporation have been declined by respectable inhabitants, and declined by their town clerk. The public feeling of the town was expressed in favour of municipal reform; and we may add, that the present chief magistrate, with some other members of the select body, are prepared to welcome its introduction.

IV. JURISDICTION.

The corporation has an exclusive Criminal Jurisdiction over offences committed within the precincts of the borough, and a Civil Jurisdiction concurrent with the chief steward of the liberty of Bury, where the cause of action has arisen within the same precincts.

Magistracy. The alderman, recorder, coroner and six assistants, constitute the borough Magistracy.

Courts. The Borough Courts, are a Court of Sessions; a Civil Court, called the Court of Record; a Court Leet; and a Court of Pie Poudre.

General Sessions. The Sessions are held three times in the year, in the months of February, June and November; and as the county assizes are held within the town, there are five annual gaol deliveries.

The alderman and coroner always attend. The recorder does not attend when the offences to be tried are considered of a trifling nature; but no punishment has been inflicted in his absence, beyond a short imprisonment. The court has cognizance of all offences committed within the borough, except treason and misprision of treason, which require a special warrant from the King; and no felony, for which the offender may lose his life, can be tried in the absence of the recorder. It is the opinion of the town clerk, that no such felonies would be tried by the present recorder. Within the last 25 years, one sentence of death has been recorded, but the penalty has not been inflicted within a century.

Barristers do not practise at these sessions.

The juries are impannelled by the town clerk, who selects them from a list made out by the parish officers, containing the names of all the inhabitants who are assessed to the poor-rate at 6*l.* and upwards. These names are taken in rotation, omitting those of the capital burgesses and other persons holding offices of a public nature; and the turn of each individual to serve either on the sessions, or the leet jury, comes round about once in two years and a half. The principal tradesmen in the town are selected for the grand jury.

The number of prisoners tried for some years past has been, on an average, about six at every session.

The costs of prosecution are regulated by a table of fees, approved by the judges, and they are taxed by the clerk of the peace. The whole expense of an ordinary prosecution may be estimated at from 3*l.* to 4*l.*

Appeals against poor-rates are heard at these sessions.

The following Table shows the number of Commitments for Felony and Misdemeanor during the years 1830, 1831, 1832; the number of prisoners convicted, acquitted and discharged; the number transported; and the expenses allowed.

		Years.	Number of Persons Committed for Trial for Felony.	Number Convicted.	Number Acquitted.	Number Discharged for want of Prosecution.	Number against whom no Bill was found	Number Transported.	Expenses Allowed.	OBSERVATIONS.
									£. s. d.	
Felonies -		1830	17	10	2	1	4	2	58 – 2	One admitted King's evidence, one held over to the assizes.
		1831	21	15	4	–		1	85 14 6	
		1832	15	9	3	–	3	1	126 17 –	
Misdemeanors:	Not Assaults.	1830	5	4	1	–	–	–	36 2 6	
		1831	–	–	–	–	–	–	—	
		1832	2	2	–	–	–	–	12 10 6	
	Assaults.	1830	–	–	–	–	–	–	– – –	Most assaults are settled under 9 Geo. 4, c. 31, s. 27.
		1831	–	–	–	–	–	–	– – –	
		1832	1	–	–	1	–	–	– 6 6	

43. The

The Petty Sessions are held every Thursday, and all the resident magistrates generally attend. The conduct of the magistrates, both at the general and petty sessions, appears to have been impartial; the juries fairly selected; and the business properly conducted. Petty Sessions.

The civil court is called the Court of Record, which the charter requires to be held every week throughout the year, with the exception of the Christmas week: it is now held every month. This court has cognizance of all pleas, personal and mixed, where the cause of action has arisen within the borough, and the damages do not exceed 200 *l.* The judges of the court are, the alderman, recorder and capital burgesses, three of whom must be present; and of these three, one must be either the alderman or recorder, or a capital burgess who has served the office of alderman: the alderman generally attends. 2. Court of Record.

The process is by summons, attachment, distress and arrest, or by any other proceeding which is consistent with the common, statute or customary law of the country. The usual process is a capias, either bailable or serviceable, which is executed by the serjeants at mace. No attorney can practise here without an admission, but all respectable attornies of the superior courts are admitted as a matter of course. There are now six practitioners.

The town clerk is the clerk and registrar of the court, and taxes the costs according to a scale which differs little from that of the superior courts of Westminster. The costs in an ordinary case are as follows:

Action settled before declaration - -	about 1 *l.* 2 *s.*
Judgment by default - - - -	about 6 *l.*
Judgment after verdict - - - -	about 12 *l.*

The following Table shows the number of actions commenced in the years 1830, 1831, 1832; the number of persons imprisoned on mesne process; and the number and nature of the executions, with the amounts for which they were ordered.

YEARS.	Number of Actions or Suits commenced.	Number of Persons taken to Gaol on Mesne Process.	Number of Executions Issued or Ordered against			TOTAL AMOUNT for which Executions Ordered.
			Body.	Lands.	Goods.	
						£. s. d.
1830	31	1	1	1	4	131 4 4
1831	35	- -	1	- -	5	69 19 -
1832	33	2	3	- -	- -	39 5 8

During the last three years 20 declarations have been filed; cognovits have been given in four cases, followed by execution; and in 11 others judgments have been suffered by default, with executions in 10. One trial only has taken place within the last 17 years.

We have noticed the concurrent civil jurisdiction of the steward of the liberty;— a jurisdiction derived from the ancient monastery, and limited to debts under 40 *s.* The court of the steward, called the "Much Court," is held every three weeks, before the town clerk or his partner. The claims of the parties are generally settled upon summons, at a cost of 7 *s.* 6 *d.*, and a trial seldom takes place. 3. Much Court.

This court is generally preferred to the borough court of record, in which the process is more expensive and less expeditious.

The Court Leet is held by the alderman, recorder, coroner and town clerk, or any one of them. It is held once a year, and adjourns from time to time till the business is concluded. Constables are here sworn in, and the ordinary functions of a court of this nature are performed in an useful and efficient manner. 4. Court Leet.

The Court of Pie Poudre is still nominally held by the alderman and burgesses during the Easter and Michaelmas fairs. 5. Court of Pie Poudre.

The Police is composed of the four serjeants at mace, 14 constables, who are appointed by the five wards into which the town is divided, two special police officers and six night watchmen. Police.

The constables are ancient officers appointed at the court leet, and are taken from all classes of the inhabitants. They receive no remuneration, which is a subject of complaint. The special police officers were first appointed by the magistrates about five years ago, and the same persons have continued ever since in office. They had previously been distinguished among the constables for their superior activity, and they have since proved useful and efficient officers. On occasions of emergency the whole constabulary force is placed under their direction by the magistrates. They receive no salary, but a joint gratuity of 10 *l.* is annually paid by the corporation, and a further gratuity is usually added by the alderman. The night watchmen are appointed and paid by the paving commissioners. They are on duty from September till April, and act as special constables during this period.

The whole police force acts throughout the borough. It is found sufficient upon ordinary occasions; and when it has been necessary to swear in special constables, the inhabitants it is said, have willingly come forward to assist the magistrates.

The Borough Gaol has been disused since 1805; and the prisoners committed by the borough magistrates are confined in the county gaol, which is within the precincts of the town. Gaol.

BURY ST. EDMUNDS.

town. The corporation is bound by charter to provide for the maintenance of these prisoners; and in 1805, they made the present arrangement with the county magistrates, by which they have secured a much more perfect classification of the prisoners than the limits of their own gaol would allow. They have also obtained for their own magistrates the right of visiting the county gaol, a right however which is seldom exercised; and the reasons assigned for this neglect of superintendence on their part are, the excellent character of the present gaoler, and the regular monthly visits of the county magistracy. We visited the gaol, and highly approve of the present arrangement.

A copy of the rules and regulations for the government of the gaol and house of correction, accompanies our Report.

Poor.

The Corporation, as such, have nothing to do with the management of the poor.

Licences.

There are 50 public-houses licenced by the borough magistrates, and of this number two belong to a magistrate, and six to a burgess of the common council. The magistrate has never in any way interfered in the licensing, and it does not appear that any preference is shown to members of the corporation. The total number of licences has of late years been diminishing.

V. PROPERTY.

The Property of the corporation, besides the lordship of the soil, consists of

1. Lands and tenements within the borough;
2. The rectory, vicarages, churches and tithes of both parishes;
3. The tolls of fairs and markets within its precincts; and
4. A small rent-charge, issuing out of a theatre in the town.

1. Lands and Tenements.

The greater part of the Lands were granted by the charters, and Tenements have at different periods been erected upon them. The lands, as well as the tenements are, with a few exceptions, let to different tenants for the several terms, and for the respective rents, which are specified in a Table which accompanies our Report. The leases are always made in pursuance of an order of the ruling body. One tenant only is a member of the corporation, and his tenancy commenced before he became so. In all cases they appear to have been let at their full value, and the rent they produce is 497*l.* 19*s.* per annum.

2. Tithes.

The Tithes of the two parishes of St. James and St. Mary were also granted by the charters. A considerable portion of this borough was the property of the ancient monastery, and consequently remains tithe-free. The small tithes are not collected, and the right to them is now supposed to be lost by non-user. A composition of 5*s.* 8*d.* per acre has been made for the rest, and on an average of three years the receipts amount to 356*l.* 4*s.* per annum.

3. Tolls.

The Tolls of the fairs and markets held within the borough were also granted by charter. They are leased, together with the soil on which the fairs and markets are held, for 142*l.* per annum.

4. Rent Charge.

A Rent Charge of 20*l.* per annum, issuing out of the new theatre of Bury was granted to the Corporation, by the lessee of the old theatre, which was corporate property. It was one of the conditions for accepting a surrender of his lease.

Income.

The Income of the Corporation, arising from these several sources, is as follows:

	£.	s.	d.
Rents	497	19	–
Tithes	356	4	–
Tolls	142	–	–
Rent Charge	20	–	
Total Income £.	1,016	3	–

Permanent Annual Charges.

The Permanent Charges upon this income are four:—

1. Fee Farm Rent.

A Fee Farm Rent of 28*l.* 3*s.* 4*d.* was reserved to the Crown by the charters. The corporation are also liable for the payment of the Crown rents, which they collect under the 6 James 1, and the whole sum annually paid on account of both, is estimated at 58*l.* 6*s.* 6*d.* per annum.

2. Stipends to Parish Ministers.

A Stipend to the two Parish Ministers is charged on the corporate property, by the charter which granted the tithes. This stipend has varied at different periods, and is now fixed at 100*l.* per annum to each of the ministers.

A question has lately arisen, whether the corporation are entitled to appropriate the remainder of the tithes to any other purpose than the maintenance of the ministers and parish officers. The subject has been taken into consideration by the select body, and it is their intention to take a legal opinion as a guide for their future proceedings.

3. Badby's Charity.

An annual payment of 6*l.* is payable out of two messuages of the corporation, to the objects of Badby's Charity.*

An

* *See* 23 Rep. of Charity Commissioners, p. 536.

An annual payment of 3 *l.* is secured by a corporation bond, to the objects of Calthorpe's Charity.* 4. Calthorpe's Charity.

The property is also charged with a Debt of 2,050 *l.*, bearing interest at 4 per cent. This debt has been contracted at different periods since 1798, and secured by the bond of the corporation. The periods of contracting, the names of the several creditors, with the appropriation of the sums advanced, are respectively stated in one of the Documents which accompany this Report. It will be seen from that statement, that between 1821 and 1830, six several sums, amounting to 950 *l.*, were borrowed to defray a part of the expense of converting a theatre into a concert room. The total cost was 1,062 *l.* 1 *s.* 6 *d.*, and the annual profits are 20 *l.* Debts.

In 1827 a further debt of 750 *l.* was contracted to pay a part of the cost of a new cattle market, which has been dedicated to the public. The remaining sum of 350 *l.* was appropriated to the purchase of the churchyard, which is now a source of income.

There is another debt of 725 *l.* on which no interest is paid. This sum is due to certain members of the corporation, who on their election advance 50 *l.* each, to be repaid at the end of seven years. Summary of Charges and Liabilities.

The following is a Summary of the Annual Charges:

	£.	s.	d.
Fee-farm and Crown rents	58	6	6
Stipend to parish ministers	200	–	–
Payment to the funds of Badby's Charity	6	–	–
Payment to the funds of Calthorpe's Charity	3	–	–
Interest on bond debt	82	–	–
The Total Annual Charge therefore is £.	349	6	6

Deducting this amount from that of the income, the sum which remains available for general purposes, is reduced to 666 *l.* 16 *s.* 6 *d.* per annum.

The Expenditure principally consists of salaries to corporate officers, payments for repairs, rates, taxes and insurance, and the cost of entertainments. A detailed statement of the ordinary annual expenditure, with the last audited account of the chamberlain, are among the documents which accompany the Report. Expenditure.

The following is an abstract of the account:

	£.	s.	d.
Salaries to corporate officers, including the town clerk's bill	267	17	6
Repairs	100	18	5
Rates, taxes and insurance	48	7	–
Entertainments	51	8	–
Bread for churches	11	1	–
Church pew	4	2	–
Clergy, for catechising	4	–	–
TOTAL £.	487	13	11

Adding to this expenditure the amount of the charges previously specified, it appears that the ordinary annual disbursements amount to 837 *l.* 0 *s.* 5 *d.* per annum.

The ordinary expenditure therefore is not commensurate with the Income; and the annual Surplus, about 180 *l.*, is now appropriated to the diminution of the debt. The reduction of debt, since the last account was audited, amounts to 300 *l.* Surplus Income, disposal of.

In examining the Extraordinary Expenditure of the corporation during the last 50 years, we find that debts previously contracted, amounting to 2,800 *l.*, have been paid off during that period; and that besides the redemption of the land-tax, the cost of a new market, and the purchase of the churchyard previously mentioned, further sums have been expended in extraordinary repairs and alterations of property, law expenses, and contributions for public purposes. A detailed statement of this expenditure accompanies the Report, and Extraordinary Expenditure.

* *See* Rep. of Charity Commissioners, p. 534.

BURY ST. EDMUNDS.

and the amount during that period is estimated at 11,535*l.* 11*s.* 2*d.* The following are the principal sums:

	£.	s.	d.
Debts paid off	2,800	–	–
Redemption of land-tax	1,503	10	–
Cost of new market	1,321	–	–
Alteration of theatre	1,062	1	6
Expense of inclosure	365	–	–
Purchase of churchyard	330	–	–
— old county gaol	220	–	–
Law expenses	835	11	–
Subscriptions to Government, 1798–1801	420	–	–
Other subscriptions and donations	881	–	–
£.	9,738	2	6

Alienations.

The Alienations during the same period have been the subject of examination, and the result is given in a Table transmitted with other documents. The total amount of the proceeds is 1,281*l.* 5*s.*, of which sum 1,132*l.* 10*s.* were appropriated to the redemption of the land-tax, and the remaining sum of 148*l.* 15*s.* was merged in their general funds. The property appears to have been sold at a fair value, and no part of it was purchased by any member of the corporation.

VI. PATRONAGE.

The corporation has the appointment of two preachers and two readers for the parishes of St. James and St. Mary, and the appointment is made by the select body.

The stipend paid to the preachers out of the corporate fund has been increased at different periods, and is now fixed at 100*l.* a year to each. One of the readers receives 4*l.* a year for catechising the children.

The corporation also selects two poor men, and one poor woman from each of the two parishes, as the objects of Badby's Charity.

The separate Patronage of the alderman and capital burgesses has been previously stated.

VII. STATE and Prospects of the Town.

The population of the borough in 1801 was – – – 7,655
1811 – – – – 7,986
1821 – – – – 9,999
1831 – – – – 11,436

Population.

It appears, therefore, that the increase of population between 1801 and 1811 was very slow; between 1811 and 1821 very rapid; and between 1821 and 1831 the ratio again diminished. During the first period the ratio of increase was only $\frac{1}{25}$; during the second it was nearly $\frac{1}{4}$; and during the last nearly $\frac{1}{7}$.

Occupations.

This population is distributed into 141 families, employed in agriculture.
1,299 – – – – trade or manufacture.
989 – – not comprised in either class.

2,429

Houses.

The number of Houses at the present time valued:—

at 10*l.* and under 20*l.* is	459
20*l.* – – 40*l.*	208
40*l.* and upwards	59
Total	726

Parliamentary Constituency.

The number of Voters registered in 1832 was:—

Householders	560
Burgesses	30
Total	590

Real Property.

The annual Value of Real Property in 1815 is stated in the Population Returns to have been 13,026*l.* It is said to have since diminished, but the present value has not been ascertained.

Two

Two Rates are levied on the borough, under the powers of a local Act. The one is called a surveyor's rate, and the other a paving rate. The amount levied during the last three years has been as follows:—

	1830–31.			1831–32.			1832–33.		
	£.	s.	d.	£.	s.	d.	£.	s.	£.
Paving Rate - - - -	1,551	14	2	1,446	3	–	1,548	1	4
Surveyor's Rate - - -	274	–	3	271	2	5	284	9	7
Fines, &c. - - - -	5	15	–	35	7	1	45	–	7
£.	1,831	9	5	1,752	12	6	1,877	11	6

The Expenditure in the same three years was as follows: —

	1830–31.			1831–32.			1832–33.		
Surveyor's Accounts:	£.	s.	d.	£.	s.	d.	£.	s.	d.
Labour - - - -	273	12	11	298	1	–	298	7	11
Gravel - - - -	107	16	4	57	2	6	63	15	7
Carting - - - -	103	8	9	122	1	4	183	11	11
Paving - - - -	139	–	9	169	3	2	151	5	–
Lighting - - - -	162	6	4	215	4	5	217	1	5
Watching - - -	106	15	9	109	4	6	108	15	6
Tradesmens' bills - - -	133	8	4	68	15	9	104	18	11
Salaries of surveyor, clerk and collector, and clerk's bill -	115	15	2	128	17	6	149	9	4
Interest on bond debt - -	414	–	–	409	10	–	409	10	–
— treasurers' account	40	7	10	19	17	2	8	4	5
Payment to sinking fund -	50	–	–	—			—		
Sundries - - - -	43	19	2	41	4	1	31	17	6
£.	1,690	11	4	1,639	1	5	1,726	17	6

The Parochial Assessment during the same three years have not varied much. The following sums have been levied since 1825:—

Year.	Amount.			Year.	Amount.			Year.	Amount.		
	£.	s.	d.		£.	s.	d.		£.	s.	d.
1825	5,723	8	4½	1828	6,104	9	3	1831	8,244	8	6¾
1826	7,095	1	9½	1829	6,441	1	11¾	1832	8,198	8	7
1827	6,803	4	8½	1830	7,677	14	7	1833	8,174	7	7¼

The Assessed Taxes in 1830 were 4,994 *l.*, and they are nearly the same now.

On the whole, the trade and industry of the borough are considered by the inhabitants to be nearly stationary.

The Local Acts affecting this borough are:—

Local Acts.

1. "An Act for erecting Workhouses, for the better employing and maintaining the Poor within the Borough of Bury St. Edmunds, in the County of Suffolk; and for the better repairing and paving the Streets and Highways there."—21 Geo. 2.

2. "An Act for better paving, lighting, cleansing, watching or otherwise improving the Town of Bury St. Edmunds, in the County of Suffolk."—51 Geo. 3, c. 9.

3. "An Act to amend, extend, and render more effectual an Act of his late Majesty, for paving, lighting, cleansing, watching and otherwise improving the Town of Bury St. Edmunds, in the County of Suffolk."—1 Geo. 4.

4. "An Act for Inclosing Lands in the Borough of Bury St. Edmunds, in the County of Suffolk."—54 Geo. 3.

The Documents which accompany this Report are:—

1. A Translation of the Governing Charter.

2. A List of the Magistrates and principal Members of the Corporation, with their residences, and the dates of their elections.

3. A Table of the Fees taken in the Court of Record.

4. A Gaol Return, showing the number of commitments for crime and vagrancy by the borough magistrates, in the years 1830, 1831 and 1832; with the number of commitments for trial, convictions and acquittals, during the same period; distinguishing the felonies and misdemeanors; also the accommodation of the gaol, and the allowance of the prisoners.

5. A Table showing the description of Property belonging to the Corporation, with the time and mode of acquiring it; the names of the tenants, and the dates and periods of their leases.

6. A Table showing the Sales of Corporate Property during the last 50 years, the names of the purchasers, the sums paid, and the appropriation of those sums.

7. A Table of the Permanent Debts of the Corporation, the names of the creditors, the interest paid, the security given, and the purpose for which they were incurred.

8. A detailed Statement of the Ordinary Annual Expenditure.

9. A similar Statement of the Extraordinary Expenditure during the last 50 years.

10. A Copy of the Chamberlain's Account for the year 1831–32.

11. A Statement of the Receipts and Disbursements of sums levied under the Paving Act, in the year 1832–33.

Geo. Long,
John Buckle.

REPORT

ON

THE BOROUGH OF CAMBRIDGE,

(CAMBRIDGESHIRE.)

CONTENTS.

	Page
Limits of the Borough	2185
Charters	2185
Title	2185
Officers	2185
Freemen or Burgesses	2185
Mayor, how elected	2185
Bailiffs	2186
Aldermen	2186
Common Councilmen	2186
Treasurers	2186
High Steward	2186
Recorder	2186
Deputy Recorder	2186
Counsellors	2186
Coroners	2187
Town Clerk	2187
Deputy Town Clerk	2187
Chaplain	2187
Inferior Officers	2187
Fines	2187
Freemen, how created	2187
by birth	2187
apprenticeship	2187
purchase	2187
gift	2187
Fees on admission of Freemen	2188
Ruling Body, functions of	2188
Committees	2188
Mayor, functions of	2188
Bailiffs	2188
Aldermen	2189
Common Councilmen	2189
Treasurers	2189
High Steward	2189
Recorder	2189
Deputy Recorder	2189
Counsellors	2189
Coroners	2189
Town Clerk	2189
Deputy Town Clerk	2189
Chaplain	2189
Serjeants at Mace	2190
Other Officers	2190
Freemen, privileges of	2190
Court of Quarter Sessions	2190
Petty Sessions	2191
Juries	2192
Court of Pleas	2192
POLICE:	
Riot at an election in 1818	2193
1830	2193
1831	2193
Attack on the house of a Turk	2193
Conflicts between Gown and Town	2193
Gaol	2194
Poor	2195
Patronage	2195

	Page
CHARITIES:	
Sir Thomas White's Charity	2195
Crane's	2195
Spital House	2196
Elizabeth Knight's Charity	2196
Lambert Damp's	2196
Richard Chevin's	2196
Alderman Mott's	2196
Alderman Chapman's	2196
Alderman Francke's	2196
Richard Chevin's	2196
Elizabeth Wolfe's	2196
Thomas Peacock's	2196
Thomas Ellys's	2196
William Fenton's	2196
John Sherward's	2196
Elizabeth Knight's	2196
Richard Fenton's	2197
Thomas Medsope's	2197
Alderman Newton's	2197
Alderman Greaves's	2197
Licenses	2197
PROPERTY:	
Lands, Houses, &c.	2197
Leases	2197
Tolls	2198
Clerk of the Market's Stallage	2198
Funded Property	2198
Fines	2198
Felons' Goods	2198
Property sold	2198
Stock unaccounted for	2198
Produce of Sales unaccounted for	2198
Sales of Land	2199
References to settle the terms of Leases	2199
Theory of Corporation Property	2199
Debts	2200
Annual Income and Expenditure	2200
Receipts and Disbursements for the last 14 years	2201
Auditing Accounts of the Corporation	2202
Town Rate	2202
Building a new Gaol	2203
Auditing Town Rate Accounts	2203
Paving Acts	2204
River Cam Acts	2204
Bridges and Quays	2204
Commons	2204
Political influence	2204
Rutland Club	2205
Promotion of the Mortlocks	2205
Rejection of applications for Freedom	2205
State and Prospects of the Town	2207
State and Employments of the Poor	2207
Improvements of the Corporation	2207
Local Acts	2208
Documents sent with the Report	2208

BOROUGH OF CAMBRIDGE.

Limits of the Borough.

THE Borough of Cambridge extends over 14 parishes. It appears to be an unsettled point, whether the colleges in general are extra-parochial. Downing College, the new buildings of St. John's, and the grove of Catherine Hall, are admitted to be within the parochial limits by the payment of the poor's-rate; and the parish officers, in their perambulations, pass through some of the others; but they are considered by the present University authorities to be extra-parochial, and consequently not within the borough.

Charters.

Cambridge is a corporation by prescription, subject to the regulations of various Charters granted by different sovereigns; the earliest is of the reign of Henry 1. Twenty-four other charters had been granted to the borough previously to that of 7 Car. 1, which is the governing charter: none of them appear to have made any considerable change in the municipal government, except 5 Richard 2, which takes away the inspection of weights and measures and the granting of victuallers' licenses from the corporation, and transfers them to the University. The corporation, on the 11th of November, in the 36 Charles 2, surrendered their charters to the King, but no deed of surrender was enrolled of record. A new charter was granted and accepted in the same year; but in the 4 James 2, the former charters were restored by the King's proclamation.

The following is a List of the Charters granted to this Borough:

2d Henry the 1st	1102	King Henry the 4th	1405
Henry the 1st	—	King Henry the 5th	1419
2d John	1202	King Henry the 6th	1424
King John's charter	1207	King Henry the 6th	1437
King Henry the 3d	1227	King Edward the 4th	1465
King Henry the 3d	1227	King Henry the 8th	1511
King Henry the 3d	1256	Exemplification of K. Henry the 8th	1531
King Henry the 3d	1256	— King Edward the 6th	1548
King Edward the 1st	1281	— King Philip and Queen Mary	1558
King Edward the 2d	1314	Seizure of Charters and regrant of part of corporation rights, 5th Richard the 2d.	
King Edward the 3d	1365		
King Richard the 2d	1382	Fourth part of the patent roll, 3d James the 1st.	
King Richard the 2d	1386		
King Richard the 2d	1394	7th King Charles, Charter of Incorporation.	

Title.

The Title of the Corporation is, "The Mayor, Bailiffs and Burgesses of the Borough of Cambridge."

Officers named in the Charter.

The following Officers are named in the Governing Charter:—

- Mayor.
- Bailiffs.
- 12 Aldermen.
- 24 Common Councilmen.
- Two Treasurers.

Other Officers.

The other Officers of the Corporation are:—

- High Steward.
- Recorder.
- Deputy Recorder.
- Four Counsellors.
- Two Coroners (named in Chr Hen. 3.)
- Town Clerk.
- Deputy Town Clerk.
- Chaplain.
- Nine Serjeants at Mace, including
  - Hall Keeper,
  - Town Crier,
  - Bellman and Clerk of the Market.
- Pinders.
- Cook.

Freemen or Burgesses.

The number of resident Freemen is 118; the number of non-residents is supposed to be about 40. The terms freeman and burgess are synonymous.

Mayor, how elected.

The mode of electing the Mayor was settled by a bye-law of the 18 Edward 3, and acted on till 10 Eliz., when another bye-law passed, establishing a different manner of election. In the year 1786, this last bye-law was abrogated by the corporation, and the old one, 18 Ed. 3, re-established; the provisions of which are as follows: the mayor and his assessors elect one of the commonalty (which means all the burgesses not being aldermen), and the commonalty another, which two being sworn, elect 12 of the commonalty; the 12 choose six more of the commonalty, and the 18 swear, in the presence of the commonalty, that they will choose a certain fit and sufficient mayor for the government of the town, four bailiffs, four counsellors and two coroners, fit and sufficient, for whom they will answer; and the two who choose the 12 are not to be part of the 18. The validity of this bye-law was established in

CAMBRIDGE.

the case of *Newling* v. *Francis*, 3 Durnford & East's Rep. 189. A large majority of the voters have long been of the same political party, and they never elect a mayor of opposite politics. The bye-law of the year 1786, establishes the eligibility of any burgess to the office of mayor, but in fact aldermen alone have been uniformly chosen. The late Mr. Mortlock, who was a banker at Cambridge, appears to have acquired almost boundless influence in the corporation. In the year 1785, he filled the office of mayor; again in 1787, and was elected in 1788, but was ousted. In the year 1789 he was again elected, and held the office every alternate year from that time till 1809; from 1784 to 1800, only three other individuals held the office, two of whom were intimately acquainted with Mr. Mortlock, and the other was for some time a clerk in his bank. A son of Mr. Mortlock was mayor in 1802, 1804, 1806 and 1808; another son became mayor in 1810, and the two brothers held the office alternately for the next six years. This alternation is known in the borough as the bucket system; Mr. Mortlock and his two sons were called the three buckets; one of them was also mayor in 1818 and 1820. None of the Mortlock family have filled the office since that year. From 1817 to 1832 inclusive, Mr. John Purchas, a friend and relation of Mr. Mortlock, held the office five times, his son twice, Mr. Benjamin Cotton, a brewer, three times, and Mr. Alexander Scott Abbott, a surgeon, twice. The present mayor is a captain in the navy. The deputy town clerk assigned as a reason for the repeated election of the Mortlocks, that they were bankers in the town, and influential persons in the corporation, to which they were in the habit of advancing money. No money has been advanced since they ceased to be mayors, in 1820, and from that time the corporation have been paying off their debts. The attendance of members at the election is usually small, and sometimes there are not enough present to make the elections without sending for others. Notice of the meetings is sent to those who require it.

Bailiffs, how elected.

The Bailiffs are mentioned incidentally in the charter of Hen. 8, but the number is not specified. Four are, in fact, elected annually, in the same manner as the mayor. They are taken from the commonalty, and must be resident. Persons to whom the salary is an object, and who solicit the office, are elected; they hold the office for a year, but are commonly re-elected till they have served four years.

Aldermen, how elected.

The mode of electing Aldermen is regulated by a bye-law of 1789. The mayor and his counsellors elect one burgess and the commonalty another, which two choose 12; the 12 choose six, making 18 in the whole, and the 18 elect one of the common councilmen; and in case of equality of votes, the mayor has a casting vote.

There has been, for many years, no division in the hall in the election of aldermen, who are all, at the present time, of the same political party. The aldermen do not, however, acknowledge the validity of the bye-law just cited, but claim the privilege of electing members into their own body. They go through the form of an election, but have, since the year 1817, uniformly elected the same individual as the 18. In that year the 18 elected one person and the aldermen another, but the 18 prevailed. The aldermen hold their offices for life. A bye-law of 1686 requires them to reside. Four are at present non-resident.

Common Councilmen, how elected.

The Common Councilmen are elected for life in the same manner, and under the authority of the same bye-law; which requires the election of one of the burgesses who has passed the offices of bailiff and treasurer. Common councilmen who have not served those offices have been sometimes admitted, on payment of a fine fixed on by the hall at the time. The highest fine which has ever been paid is 10 guineas. On particular occasions they have been admitted on the payment of a nominal fine. A bye-law of 1692 requires the common councilmen to reside; two of them have been non-resident for many years, and have not been called on to resign. One expressed, by letter, a wish to resign; but it is understood that a resignation of the office of common councilman can only be made by deed, and on that account the offer was not accepted. Two or three members of the common council now differ in their political sentiments from the rest. The common councilmen are in general tradesmen residing in the town. It was stated by an officer of the corporation, and not denied, that many respectable individuals were excluded from the corporation on political grounds. The common council claim and exercise the right of self-election in the same way as the aldermen.

Treasurers, how elected.

By the governing charter, two Treasurers are to be elected by the mayor, bailiffs and burgesses, for a year, from the burgesses. The election of treasurers has not, however, always been annual. The father of the present senior treasurer held the office from 1787 to 1819, without any fresh election. The present senior treasurer has been in office from 1819, but a new election has taken place every year. The treasurers are always chosen from the burgesses; they are chosen by open voting, and for a long time past there has been no opposition. Both are members of the council.

High Steward, how elected.

The High Steward is elected for life, by the mayor, bailiffs and burgesses.

Recorder, how elected.

The Recorder is elected in the same manner. He is not, in general, a lawyer.

Deputy Recorder, how appointed.

The Deputy Recorder is appointed by the recorder, during pleasure, subject to the approbation of the corporation. He has, for a long time past, been a serjeant at law or a barrister. The present deputy recorder is a serjeant at law.

Counsellors, how elected.

Two aldermen and two common councilmen are chosen Counsellors every year, in the same manner as the mayor.

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The Coroners are chosen in the same way, from the commonalty, for a year. They are constantly re-elected from year to year. One of them is generally an attorney; it very seldom happens that both are so. Coroners, how elected.

The Town Clerk is elected by the mayor, bailiffs and burgesses at large, and holds his office during good behaviour. It is not necessary that he should be a burgess; he is always an attorney. Town Clerk, how elected.

The Deputy Town Clerk is appointed by the town clerk, with the sanction of the corporation, and holds his office during good behaviour, and so long as the town clerk continues in office. Deputy Town Clerk, how appointed.

The Chaplain is appointed by the mayor for his year, and is usually the minister of the parish in which the mayor resides. Chaplain, how appointed.

The Serjeants at Mace, Hall Keeper, Town Crier, Bellman, Clerk of the Market, and Cook, are appointed by the corporation, to hold their offices during their pleasure. The Pinders are appointed for life: the number of them is uncertain. These officers are not members of the corporate body, except the clerk of the market and the cook, who are both common councilmen, and one of the pinders also is a burgess. The pinders were formerly appointed at the court leet, which has ceased to assemble for about 15 or 20 years. Inferior Officers, how elected.

An alderman who refuses to accept the office of mayor is liable to pay a Fine of 40 *l.* If he neglect to appear in his gown on grand or common days and public processions, he incurs a fine of 40 *s.*: a common councilmen for the same offence, 20 *s.*, and the bailiff and other officers, 10 *s.*, and a suspension of the right of voting till the fine is paid. The fines for non-attendance on the mayor on public days, (having been duly summoned,) is 1 *l.* 1 *s.* for an alderman, and 10 *s.* 6 *d.* for a common councilman or other officer. These fines are not enforced. Fines.

The Freedom of the Corporation is acquired by birth, apprenticeship, purchase and gift. Freemen, how created.

The eldest sons of resident freemen are entitled to their freedom. Doubts have arisen whether a second son is admissible after the death of his elder brother. There are instances both of the admission and rejection of persons so circumstanced. By a bye-law in the reign of Elizabeth, all the sons of freemen were admitted to their freedom. A subsequent bye-law restricted it to the first-born son. It is necessary that the father should be *commorant* at the birth of the son. The son's title must be proved before the whole corporation. Not more than one or two a year are now admitted. By Birth.

Freedom by Apprenticeship is obtained by being apprenticed to a burgess, and serving him seven years within the borough. If the master dies during the apprenticeship, the apprentice may be assigned to another freeman. The indentures of apprenticeship must be enrolled by the town clerk at the hall, within six months after their execution. No part of the service under the indentures is ever dispensed with. An indenture was once refused to be enrolled because the apprentice was above the age of 21 years when he executed it. The master usually presents the indenture, as the apprentice is not allowed to come into the hall. What is called the enrollment, consists merely of an entry in the apprentice-book of the corporation. Apprentices often come to the office of the town clerk, and request him to present their indentures at the hall, which is always done. The service is proved by the oath of the master or the apprentice, and is strictly inquired into. Of late there have been very few admissions by apprenticeship; not one a year. By Apprenticeship.

There have been hardly any admissions by Purchase since the years 1818–19. At the general election in 1818, the corporation had returned two Members, after a hard contest. A great number of freemen by purchase were admitted shortly afterwards. All these new freemen were of the same political sentiments as the great majority of the corporation. Between 40 and 50 were admitted, who were all resident in Cambridge; they paid 10 *l.* 10 *s.* each on their admission, besides the usual fees. It does not appear that many non-residents have been made free by purchase since the year 1788, except in 1800, when 23 individuals came in on the same terms, and were all admitted on the same day. They all came from the neighbourhood of Chevely, where the high steward is the chief proprietor; many of them were farmers, and are supposed to have been his tenants. There had been in 1788 a similar admission of 81 strangers, many of whom were residing in the same neighbourhood, and in the vicinity of Belvoir Castle, the residence of the high steward. There is an existing order that the fine paid by foreigners on admission to their freedom shall be 10 *l.* In these cases a single guinea only was paid. About the time when the residents were admitted freemen by purchase in 1818, as already stated, a proposition was made that 33 individuals residing, some near Chevely and others in different parts of the kingdom, should be admitted to their freedom on payment of the sum of 25 guineas. These persons were all attached to the political principles professed by the members of the corporation. This proposition excited a strong feeling in the town, and was never brought before the hall for confirmation. By Purchase.

Freedom by Gift is sometimes conferred on respectable tradesmen resident within the town: it has been confined to residents except on particular occasions. About three or four years ago, it was granted to Mr Leake, a solicitor residing in London. The corporation had incurred a very heavy expense in an action brought for the recovery of certain tolls. Finding themselves under the necessity of borrowing money to pay By Gift.

CAMBRIDGE.

the costs of the suit, they applied to a gentleman, who at that period, represented the borough. The Member applied to Mr. Leake, who was totally unconnected with Cambridge, and he advanced at different times the sum of 4,500*l.* to the corporation, at the very low interest of 3½ per cent.; 1,500*l.*, part of this debt, has been paid, the remaining 3,000*l.* are still due. About Michaelmas last a proposal was made to the hall to admit some respectable persons to freedom by gift; 41 of them were admitted, and a great many others rejected; both the admissions and rejections were said by an officer of the corporation to have been on political grounds, and this was not denied. By a bye-law of the year 1785, no person can be made free (except by birth or servitude) on the day on which he is proposed, but must again be proposed by the mayor at a subsequent grand common day, to be held six days at least from the day on which he was first proposed. The number of freemen was much greater formerly than it is at present; 246 polled at an election for the borough in 1736-7. The population of Cambridge then was much smaller than it is now; some years after that time it did not exceed 6,000. It has now much more than trebled, and the number of resident freemen is reduced to 118.

Fees on admission of Freemen, &c.

By an order of the corporation, made 26 April 1814, the following Fees are directed to be paid to the town clerk:—

On swearing every freeman - - - - - - - - - 1½ guinea (exclusive of stamps);
— newly elected alderman - - - 2 guineas;
— common councilman - - - - 1 guinea.

Ruling Body, functions of.

The whole body of Mayor, Bailiffs and Burgesses has the general government of the borough; the mayor and two bailiffs must be present at all corporate meetings, or halls, as they are usually called: the presence of an alderman is not essential. The average number attending at corporate meetings is about 30, but on some occasions not half that number have been present. Notice of the meetings is sent to all the members who have signified their wishes to the town clerk to have notice, but not to others; this has only been done within the last 10 or 12 years. There are five charter days in the year on which meetings are always held; the other meetings are by adjournment from the charter days; it is usual to adjourn for a month or six weeks, as the business requires: the adjournment is always proclaimed. The mayor may appoint a special meeting, and on those occasions every burgess has notice.

Committees.

There are no standing Committees, but they are appointed for particular occasions. When a sale of any of the corporation property takes place, a committee is usually nominated to inspect the premises, and report the value. A toll committee sat during the progress of the toll cause; important measures are almost always referred to committees; generally, four aldermen and four common councilmen are appointed on a committee, and sometimes, but not generally, a burgess or two: the committees are all appointed by the mayor. A bye-law of 1823 repeals all former bye-laws respecting the letting of lands, and enacts that the mayor shall, as heretofore, appoint a reference for that purpose; four aldermen and four common councilmen are always put upon a reference. Leases are required by this law not to exceed the term of 40 years. The ruling body generally act on the report of the committees. Measures are said to have been sometimes supported by the aldermen and common councilmen, and rejected by the burgesses; but no instance was given.

Mayor, functions of.

The Mayor presides at all corporate meetings; he is officially appointed a magistrate by a commission of the peace for the borough; he presides at the quarter and petty sessions, and in the civil court; is officially a commissioner under the Paving and Lighting Act, a commissioner of the land-tax, a trustee of turnpike-roads, and returning officer at the election of Members of Parliament for the borough; he is a magistrate for the county; he is officially a commissioner of the drainage of the Middle and South Level, under the authority of two Acts of Parliament, but he does not act; he has the appointment of six trustees of the spinning house,—the Vice-chancellor of the University appointing the other six; he is also one of the auditors of their accounts; he is governor of Addenbrooke's Hospital; together with the aldermen, he chooses three conservators of the river Cam, and is one of the auditors of their accounts. He is authorized by the charter, in case of sickness, or for any other necessary or reasonable cause, with the assent of three of the aldermen, to appoint one of those aldermen who have served the office of mayor, his deputy. He has the appointment of a chaplain. The mayor always takes the oath of office before the Vice-chancellor of the University. He has no salary. The mayor for the time being in every 24th year, is entitled to 4*l.* for his trouble in managing Sir Thomas White's Charity.

Bailiffs, functions of.

The Bailiffs attend all corporate meetings. Two of them must be present at the sittings of the civil court, but they are not judges, and take no part in the business of the court; they have each a salary of 6*l.* a year. They formerly presided over the four wards of the borough, one over each ward, and it was their duty to keep the peace. In the case of *Long* v. *Benton*, in the sixth year of the reign of Richard 2, the attorney of the mayor and bailiffs claimed cognizance of a cause for the court held before the mayor and bailiffs. It seems that they formerly acted with the mayor as returning officers for the borough. The sheriff's precept was directed to the mayor and bailiffs; this is supposed to have ceased about the year 1730. The bailiffs are allowed, under the charter of Car. 1, with the assent of the mayor, to appoint fit men, who have served the office of bailiffs, deputies, in case of sickness or for any other necessary or reasonable cause. It does not appear that this privilege has been exercised for a long time; considering, indeed, their number, and their very limited duties, it evidently cannot now be necessary.

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CAMBRIDGE.

Aldermen, functions of.

The Aldermen are officially commissioners of the land-tax, the Paving Acts, the turnpike roads, and the drainage of the Middle and South Level: but they do not act in the last mentioned commission. They nominate, with the mayor, three of the conservators of the river Cam.

Common Councilmen, functions of.

The Common Councilmen are *ex officio* commissioners of the land-tax, but do not appear to have any other functions beyond what has been already stated.

Treasurers, functions of.

The Treasurers receive the rents and tolls of the corporation, make all disbursements, and keep the accounts of receipts and expenditure; the whole of the duty is performed by the senior treasurer alone. By a bye-law of 1826, the treasurers are forbidden to pay bills to a larger amount than 30*l.*, without submitting them to the common hall and obtaining an order for the payment; it had been usual, previously to the passing of this law, to bring bills of a large amount before the hall. When the demands on the corporation exceed 30*l.*, the subject-matter of the bills is laid before the hall, and the particular items are sometimes gone into, but the general practice is to ask the treasurer if all is right, and to be guided by his answer. By the same bye-law it is ordered, that the treasurers shall not lay out any money other than ordinary disbursements, without the advice and consent of the mayor and counsellors for the time being; orders for anything amounting to a considerable sum, are generally given by the hall. The treasurer receives a salary of 21*l.* a year. At the beginning of the year of the last settled account, he had a balance in his hands of 622*l.* 4*s.* 10$\frac{3}{4}$*d.*, and he has generally 500*l.* or 600*l.* in hand. A bye-law of the year 1686 requires the treasurer to give security, but none has been given for many years. The corporation have no banker, and the balance of the treasurer's account remains partly in his own hands and partly in his bankers; the treasurer said that he made no use of it, and was ready to produce it whenever it was called for. He stated that he had throughout the year a balance of at least 300*l.* in hand.

High Steward, functions of.

The High Steward neither receives a salary nor any emoluments. He is a commissioner under the Paving Act, and a justice of the peace for the borough, but does not act. We have some statements to make in another part of the Report respecting his influence in the corporation. The present high steward was appointed in 1800, but did not take his oath of office till 1818.

Recorder, functions of.

The Recorder is a magistrate for the borough, a commissioner of the land-tax and of the turnpike roads. He has neither salary nor emolument. The duties of his office are performed by his deputy. He was elected in 1800 and sworn in in 1818. The Duke of Rutland is now high steward, and his brother Lord Charles Somerset Manners is the recorder.

Deputy Recorder, functions of.

The Deputy Recorder has neither salary nor emolument. He is a magistrate and attends the sessions, but not regularly. When the present deputy recorder cannot attend, his place is supplied by Mr. Serjeant Frere, the master of Downing College, who resides at Cambridge, and is a magistrate. From the year 1801 to 1818 there was no deputy recorder.

Counsellors, functions of.

The Assessors or Counsellors have now no other duty to perform than to assist the mayor at the corporate elections. Formerly they had other duties, which appear in the following orders:—

"It is likewise ordered that, according to the ancient custom, every freeman of the said town, immediately upon his admission, shall pay to the poor man's box 12*d.*, over and besides the old fees; and over and above such fine as shall upon him be assessed by the assessors of his fine; to be appointed by the mayor for the time being, according to the old custom." (*See* the head "Treasurers.")

"An Order concerning Foreigners being made Free Burgesses.

"It is likewise ordered, that no foreigner shall have the liberty or freedom of this town granted unto him for a less fine, to be set by his assessors, than the sum of 10*l.* at least, besides the fees of the house; to be paid to the use of the mayor, bailiffs and burgesses of this town, except such persons as shall hereafter be chosen to be serjeants of the corporation."

Coroners, functions of.

The Coroners perform the usual duties of their office over the whole borough, except in King's College; from which they are excluded by prescription. They only receive the fees allowed by statute.

Town Clerk, functions of.

The duty of the Town Clerk is, to attend all corporate meetings, and record their proceedings; to make out leases of the corporation lands, and to attend generally to the legal business of the corporation. He is the legal adviser of the mayor. The town clerk is also officially the clerk of the civil court, from which he issues writs and precepts. He is also clerk of the peace, (which office he holds by the appointment of the *custos rotulorum*, dated at the time of the grant of the office of town clerk,) and, as such, selects the juries for the sessions. He has a salary of 40*l.* a year. The fees of office received by him for the last three years have averaged under 260*l.*

Deputy Town Clerk, functions of.

The Deputy Town Clerk is an ancient officer of the corporation. It is his duty to attend for the town clerk in his absence. He is also clerk to the borough magistrates. He has, as town clerk, a salary of 40*l.* a year, and he estimates his fees as magistrates' clerk at 75*l.* yearly.

Chaplain, functions of.

The Chaplain preaches before the corporation on particular occasions. He has a salary of 10*l.* a year.

CAMBRIDGE.

Serjeants at Mace, functions of.

The Serjeants at Mace are all constables; they attend on the mayor, and on all corporate meetings and processions. They also execute the process of the court of pleas and the jury process, for which they receive very trifling fees. A fee of 2 *s.* 6 *d.* is divided among them every time the corporation seal is affixed to any instrument. The senior serjeant receives 10 guineas, and the other serjeants eight guineas a year each.

Other Officers, functions of.

The Hall Keeper receives 20 *l.* a year for looking after and cleaning the hall; the Town Crier 4 *l.* and the Bellman 6 *l.*, for attending the mayor on public occasions; the Clerk of the Market 10 *l.*, for regulating the market and removing obstructions. This officer attends in the market several times every Saturday, on which day alone much business is done there. He considers himself authorized to seize bad meat and burn it. In such cases he always goes to a respectable butcher, and acts by his advice. He sometimes settles disputes in the market, but has nothing to do with weights and measures. The Pinders have the general regulation of the commons, and it is their duty to see that they are not overstocked, nor stocked by improper persons. They receive small sums for impounding cattle. The Cook, who is a common councilman, has the use of the kitchen, worth 20 *l.*, or 25 *l.* a year, without paying any rent, for his own emolument.

Freemen, privileges of.

We have already seen that all the Freemen participate in the management of the affairs of the corporation. They have the right of voting for Members of Parliament for the borough, subject to the restrictions of the Reform Act. Freemen, being butchers, have a right of common for sheep on 19 acres of land, called the Sheep's Green. This land is open on three days in the week to the cows of all the inhabitants of Cambridge. The commons belonging to the borough consist of 310 acres. Some of it is lammas land. The inhabitants at large enjoy the right of depasturing these commons. A reservation was made in a lease of fisheries by the corporation in 1826, of a right to fish for the mayor, bailiffs and burgesses. The freemen are exempted from the payment of corporation tolls, and by the charter of King John, the freemen of the Merchants' Guild were made free of toll, &c. throughout the King's dominions, excepting the City of London. The distinction of different guilds does not appear to exist at the present day. Every freeman is entitled to have from the corporation a burgess title of exemption from tolls. The freedom from tolls claimed by the members of the corporation has been admitted at Lynn. This appears to be a valuable privilege, particularly for persons engaged in the corn trade. In a lease of a scalding house and scalding leads made in 1825, there was a reservation of a right of the freemen to use those places, paying for scalding a hog 2 *d.*, and for scalding a boar 12 *d.*; this right is not now enforced.

Assessments on the Freemen compared with the Assessments on the Inhabitants at large.

The relation in which the freemen stand to the inhabitants in point of numbers has already been shown. The relation, in point of property, may be inferred from the following Table:

Years.	Valuation of Property in the Borough, for the Purpose of Parochial Assessment.			Gross Amount belonging to the Body of Freemen.		
	£.	*s.*	*d.*	£.	*s.*	*d.*
1830	25,673	–	–	1,769	10	–
1831	24,961	4	–	1,893	–	–
1832	25,282	15	–	1,817	10	
1834	25,490	–	–	2,110	6	6

It appears, therefore, that in 1830, the rateable property belonging to the whole body of freemen, was rather less than 1-14th of the rateable property in the borough. The recent admissions have varied the proportion, which continues however at the present time to be less than 1-12th, and consequently more than 11-12ths of the rateable property in the borough is in the hands of persons who are unconnected with the corporation, and have no control over its officers.

Courts, Quarter Sessions.

The Court of Quarter Sessions is always held on the Monday before the sessions for the county. The mayor presides, and there are 14 qualified magistrates. In the absence of the deputy recorder, Serjeant Frere always supplies his place. About six or eight magistrates generally attend, besides the deputy recorder and Serjeant Frere. The sessions usually last through a very long day, and sometimes extend to a second day. Counsel always attend. The jurisdiction of the court is co-extensive with that of the borough, and extends to offences committed within the colleges. It appears by their charter, that the University can claim cognizance of all crimes committed by their own members. All felonies, not capital, are tried here. From the year 1801 to 1818 we have already stated, that there was no deputy recorder. Very few prisoners were tried during that period.

The whole number of prisoners tried from 1801 to 1833, was as follows:

For felonies	413
Assaults	163
Other misdemeanors	48

One

One of the representatives of the borough, a barrister, who began to attend the sessions as counsel in the year 1812, stated that from that time to 1818 the business seldom lasted more than three or four hours. No lawyer either presided or attended as a magistrate. Mr. Mortlock or his son always presided, and "considering," said the learned gentleman, "that they were not lawyers, conducted the business very ably." He also described an alderman of that period as a person of great legal knowledge, though not professionally a lawyer. He recollected no prosecution of a political nature; and he never noticed any partiality in the court, except on one occasion, when being counsel for the defendants in a prosecution for a riot at an election, he thought that the summing up of the deputy recorder was unfair and partial. There was a petition to the House of Commons on this subject, but nothing further took place. He added that he thought that justice was as fairly administered at the period above referred to, as it usually is where no lawyer presides. Persons belonging to prosecution societies are allowed only half their expenses, and formerly received nothing. The average costs of a prosecution for felony is 7*l.* 10*s.*

The following Table shows the number of commitments for felony and misdemeanor during the years 1830, 1831 and 1832; the number of prisoners convicted, acquitted, and discharged; the number transported, and expenses allowed:

		Years.	Number of Persons Committed for Trial.	Number Convicted.	Number Acquitted.	Number Discharged for want of Prosecution.	Number against whom no Bill was found.	Number Transported.	Expenses Allowed.	OBSERVATIONS.
									£. s. d.	
Felonies -		1830	32	24	5	–	3	7	269 11 3	
		1831	25	15	3	3	4	2	155 10 –	
		1832	32	20	9	–	3	9	240 12 2	
Misdemeanors:	Not Assaults.	1830	3	–	–	2	–	–	- - -	- - One removed by certiorari into the King's Bench.
		1831	1	–	1	–	–	–	14 – 6	
		1832	9	7	–	2	–	–	25 19 –	
	Assaults.	1830	3	1	2	–	–	- -	- - No expenses allowed.	
		1831	3	–	–	3	—	—	—	
		1832	4	1	–	3	—	—	—	

Petty Sessions.

Petty Sessions are held every Friday; and three, four or five magistrates usually attend. The deputy town clerk is the clerk of the magistrates, and receives the usual fees. The petty sessions were only established in the year 1829 or 1830.

Previously to that period the magisterial business had been transacted at the houses of the individual magistrates. When a proposal for the establishing of petty sessions was made by the then mayor, it was strongly opposed by a magistrate, one of the aldermen. He said that he thought the plan of establishing petty sessions would not answer, and that if they should be established, he would still continue to transact at his own house whatever business should come there, as he had been accustomed to do. A large share of the magisterial business of the borough had been previously transacted at his house. From a return made by the gaoler of the town gaol, it appeared that the number of committals made by him during the 11 years ending in 1832, amounted to 907; on an average exceeding 82 a year. It also appeared that, in the year 1833, the number of his committals had been 54. The mayor's serjeant stated, that in some of the cases brought before this magistrate, there had been a great number of witnesses, he had known as many as 15, though generally speaking the number was under 10. Supposing the number to be only five, the fees on each case would average 18*s.* 6*d.* In addition to the committals, one half at least of the orders of removal had been made from his house. The overseer of St. Benedict's (who, since November 1829 up to the present time, has had frequent occasion to go before this magistrate on business, and sometimes as often as three or four times a week) stated that he usually paid 6*s.* or 8*s.* for fees on every visit. Whilst the magistrate had a clerk, the fees were paid to him; but he had since paid them to the magistrate himself. It appears however doubtful whether the clerk was allowed to retain the fees which he received; for the overseer happening once to return unexpectedly for his umbrella, saw the clerk handing over money to the magistrate, which he said he had no doubt was the money he had just been paying as fees. On other occasions when two magistrates were present, he had seen them dividing

CAMBRIDGE.

the fees he had just paid; at least he supposed so, for money was passing between them An instance of this occurred on the 24th of September in the year 1833. After obtaining an order of removal, he returned, and saw the magistrate in question paying money to his son, who was then mayor. There can be no doubt that the overseer's supposition was correct. The son of this magistrate, admitted that his father had given him his share of this money, and that when his father wanted a second magistrate, he sent for him, and upon those occasions they divided the clerk's fees. The amount he had received in this way he was unable to state; but he had often been sent for. Sometimes, he said, he had given them away as gratuities, and sometimes had kept them for himself. From poor people he had frequently taken nothing. On being asked if he considered that a magistrate was entitled to make a profit of his office, he said, that he had never viewed these fees in the light of a profit, and that if he had not considered he had a legal right to them, nothing on earth should have induced him to take them. They had been taken by other magistrates, and in former times he understood that was always the case.

Juries.

The parish officers of the different parishes within the borough make a return of all persons qualified to serve on Juries, to the town clerk; the return consists of two lists, one for the grand, and the other for the petty jury. Those of the greatest consideration are put on the grand jury list, and all the remaining householders, who are registered voters, on the other. The town clerk takes the jurors in turn, and they are summoned by the serjeant at mace. Some years ago the jury process was directed to the bailiffs.

Court of Pleas.

A civil court, which is called the Court of Pleas of the town of Cambridge, is held once in every lunar month, on a Tuesday, before the mayor and bailiffs, but the mayor is the sole judge; the jurisdiction of the court extends over the whole town, but the members of the University are personally exempt: the court is sometimes adjourned. All personal actions for any amount may be tried. It appears from the records, that formerly real and mixed actions were tried in this court, but that has not been the case of late years; the causes are usually either settled in an early stage of the proceedings, or removed to the superior courts. In a great majority of instances the action does not proceed beyond mesne process; the pleadings are the same as in the King's Bench, and the court adopts the late changes made in that court: sometimes the cause goes on to a declaration. The town clerk taxes the attornies bills; it was stated that the principal attornies in the town do not practise in this court, and that it is not thought respectable. It is understood that the admission fee for an attorney is a guinea. The present town clerk, who has held his office but a short time, remembers actions having been brought for 50*l.* It seems that the cause of action must arise within the jurisdiction of the court; execution is confined to the boundaries of the town. There appears to have been more business in the court formerly than of late years. The total number of actions brought in this court from June 1830 to October 1833 was 68; of these 34 were settled by payment of the debt and costs after *capias* issued, four were removed by *habeas corpus*, and the others settled in different stages of the proceedings; there was neither a trial of an issue, nor a writ of inquiry. The average expense of causes in the court was stated by the town clerk to be as follows:—

	£.	s.	d.
If action settled after mesne process, serviceable	1	17	10
Ditto - - ditto - - bailable	3	8	2
Ditto - declaration and appearance, serviceable	4	5	2
Ditto - - ditto - - - - - - - bailable	5	15	6
Ditto - judgment by default, serviceable	7	5	2
Ditto - - ditto - - - - bailable	8	15	6
Ditto - final judgment and execution on trial, from 25*l.* to	30	–	–

The town clerk said that he had been accustomed to take a sum for poundage, and that his predecessor had used to do so; but that he had found on inquiry and consideration, that it was not legal, and had given it up. A very respectable attorney said that he did not practise in the court, because he had no respect for it; that he did not think the mayor, who was not a lawyer, was a proper person to preside in the court; that he had seen so much political feeling in members of the corporation, in all transactions in the town, that he could not help thinking, that if a question was to arise in the court between him (a political opponent) and a political friend of the corporation, there would be a bias against him: he fully admitted, that the town clerk, who is a legal adviser of the mayor in the court, would act fairly. Both the mayor and the town clerk are sworn to do their duty. The gentleman above mentioned, added, that he thought other respectable attornies felt as he did about the court; it was as expensive as the superior courts; nine-tenths of the actions which he had brought had been settled without trial, and he had frequently advised his clients to lose the whole sum in dispute rather than incur the expense of proceeding to trial; he thought that a local court, over which a barrister of experience and character should preside, would be a great blessing to the town. It may be proper to observe here, that the county court is held in the town, and a considerable quantity of business is done in it.

Police.

The Police of the town is under the superintendence of the magistrates. The appointment of the officers is as follows. A precept issues from the mayor to each parish to summon two persons to form what is called the black list. They are sworn before the Vice-chancellor; they then go to the Town-hall, and are called the leet of annoyance; whose duty is to present nuisances and annoyances. One from each parish within the borough is sworn to

to send in a list of persons from his parish, to be sworn in constables for the ensuing year. The lists are sent to the foreman of the leet of annoyance; he is appointed by the leet. The magistrates have the selection of the individuals to serve as constables, but the lists sent in by the parishes are usually adopted. The names are generally altered every year, but sometimes the same persons are appointed in two successive years. They are generally tradesmen. The police establishment consists of the chief and high constables, who are annually appointed by the magistrates at the Easter sessions, eight serjeants at mace, (one of whom is at present the chief constable,) two servants of the proctors of the University, 51 parish constables and six watchmen, appointed by the parishes. The high constable of one year succeeds to the office of chief constable in the next. During the last three years the offices have been held by the same individuals alternately. Both are respectable tradesmen and members of the corporation, one being a common councilman and the other a burgess. They are both supporters of the political party which is favoured by the corporation, and members of the Rutland Club, of which we shall give an account hereafter. One of the serjeants at mace keeps a public-house, and is tenant of an alderman; and another constable, some time ago, was a publican. The chief and high constables receive a salary of 5 *l.* a year between them. The incidental emoluments of the constables are very small. The chief and high constables have been in the habit of receiving fees, varying in amount, on different occasions, from the members at the elections; about 10 guineas each appears to be the highest sum ever paid. When only one member was elected they received a smaller sum than at a general election of two members. At the last election the members refused to pay the constables, and they were paid by the town. Many of the inhabitants of the borough are desirous of serving the office of constable. The reason seems to be, that it prevents their being liable to serve as overseers, or to be drawn for the militia.

Riot at an Election in 1818.

The police of Cambridge appears to be very inefficient. The following facts were proved by the senior esquire bedel of the University. At an election of members for the borough, in the year 1818, a serious disturbance took place at the chairing of General Manners, one of the members. Many special constables had been sworn in, but they were disarmed and put to flight. The general was wounded. These proceedings took place in open day, and in the presence of the magistrates. It does not appear that any of the persons concerned in the riot were apprehended, or that any steps were taken to bring them to justice. General Manners was supported at the election by the corporation.

Riot in 1830.

In the year 1830, two men were brought before the magistrates, charged with the offence of having disinterred dead bodies; there was much excitement in the town, and a great crowd assembled in the street. Pails of filth were provided to assail these men. After their examination they were committed by the magistrates to the town gaol. The smaller man of the two was knocked down and kicked violently, and was dragged along by the stouter man, to whom he was handcuffed. Both the men were very seriously injured. Preparations had been making for several hours previously to the attack, which took place in the day-time. No adequate protection was offered to the accused, and it does not appear that more than two constables were present. The ringleaders of this riotous proceeding were persons well known, but they were never proceeded against; and on the next day they went about soliciting subscriptions for their services, and publicly stating that they had received contributions from two of the magistrates.

Riot in 1831.

At a meeting in 1831, for hearing appeals against the assessed taxes, the inspector and the surveyor of taxes were beaten, and had their clothes torn, in the day-time. The leaders in this proceeding were known, but no steps were taken for punishing any one concerned in this outrage.

Attack on the house of a Turk.

On another occasion a Turk, who carried on the business of a pedlar in the town, had struck some boys who had hallooed after him and insulted him; a crowd assembled round his house and broke his windows. The esquire bedel, who was going out of the town, expecting further mischief, sent a message to one of the magistrates that he apprehended a riot and an injury to the Turk. On his return to Cambridge he found that the Turk had left the place. The riot went on for two or three evenings without any interference on the part of the police. The Esquire bedel said, "I believe these irregularities have not been repressed, because the town magistrates are in bad odour with the respectable inhabitants of the place, and are afraid of offending the mob, who are their only allies. I think the town magistrates are in great disesteem with respectable people of all political parties." Upon this statement being made, one of the magistrates warmly denied that he deserved the reflection; but on being asked whether he himself considered that the magistrates, as a body, deserved the respect of the town, he replied that he did not wish to throw aspersions on any body, and must beg to decline answering. The mayor and town clerk were unable to assign any reason why other magistrates named in the commission of the peace, declined to act with the aldermen. The Professor of Geology happening to be present during our inquiry into the efficiency of the police, stated that when he held the office of proctor in 1827-8, he received no co-operation from the corporation, or from any person delegated by them. The year was a peaceful one. On the night of the fifth of November, (which is in general selected for one of those conflicts which frequently occur between the members of the University and the inhabitants of the town, or as it is usually termed between Gown and Town,) he called on one of the magistrates for the purpose of preventing any disturbance; he was received with courtesy, but had no substantial assistance from the town constables. After the undergraduates had retired within their colleges by direction of the proctors, he was grossly

Conflicts between Members of the University and the Town.

insulted

CAMBRIDGE.

insulted and personally maltreated by the mob, but received no assistance except from his own men. This he mentioned as one striking instance of the inefficiency of the police; during the whole period of his office he never derived any assistance from the town authorities. All the duties of the police were thrown upon the proctors and their servants. When the long vacation commenced, and the proctors ceased to patrole the streets; indecencies immediately manifested themselves in a prominent way. He thought that in most cases the collision between the under-graduates and the inhabitants might be easily prevented by the police. In this opinion the esquire bedel concurred; and his evidence respecting the state of the streets during the long vacation was quite in unison with that of the learned professor. One of the magistrates stated that boys had been frequently apprehended for crying out town and gown, but nothing further had been done. Under a charter granted to the University in the 52 Hen. 3, "The Black Assembly" is annually held before the Vice-chancellor and proctors, in the chancel of St. Mary's church, on the Friday before St. Simon and St. Jude. The Vice-chancellor gives notice to the mayor, who brings with him two aldermen, four burgesses, and two inhabitants of every parish, to be sworn; and the following are the oaths prescribed in the University statutes:

Alderman's Oath.

"You shall swear that you shall diligently assist and faithfully counsel the mayor and bailiffs of the town of Cambridge for peace, both of the University and the town to be kept, and to search evil doers and troublers of peace, and vagabonds of the night, and receivers of thieves and evil doers. All this you and every of you shall promise to do faithfully. So help you God in Jesus Christ."

Oath of the four Burgesses.

"You shall swear to observe fidelity towards our Sovereign Lord the King's Majesty, and to be assisting and counselling to His Majesty's mayor and bailiffs of Cambridge, and for the searching out of malefactors and perturbers of His Majesty's peace, and vagabonds in the night, and receivers of thieves and malefactors. All which things you shall diligently observe. So help you God through Jesus Christ.'

The oath of Two of every parish.

"You shall swear every fortnight to make diligent and faithful search for all suspected persons lying within your parish, and to present every such, so tarrying for three nights, to the Vice-chancellor and the mayor. So help you God in Jesus Christ."

The search is never made, and some years ago the persons appointed by the parishes objected to take the oath; when to quiet their scruples, the Vice-chancellor introduced the words "if required" after the words "you shall swear," and those words have been frequently introduced since. In 1828, however, they were not inserted, but were again introduced in the present year.

The only instance given in evidence of a cordial co-operation of the inhabitants in aid of the magistracy was in 1830, when 800 persons enrolled themselves as special constables. The country was then in a disturbed state, and the Wellington ministry had just retired from office. A report was spread by the magistrates, that they had information of an intended riot; that an attack would be made on the colleges; and that the University library was to be fired. Upon this occasion the inhabitants spontaneously came forward to offer their assistance. On the whole we are decidedly of opinion that the police of the borough is very inefficient.

Gaol.

The Gaol contains eight yards, eight day-rooms, and one small yard with a solitary cell; the greatest number of prisoners in the gaol within the last year was 47.

Total number of prisoners committed in	1830	- -	184
Ditto - - -	ditto - -	1831 - -	234
Ditto - - -	ditto - -	1832 - -	208
Recommitted in the year - - - - - -			17

There was no death within the last year; the proportion of sick to the whole number was one-twelfth. The weekly cost of the untried prisoners, was 1*s.* 11*d.*; that of the convicted, 3*s.* 4½*d.*

	1830.	1831.	1832.
Committed for trial, males - - - - - - -	48	37	69
Ditto - - - females - - - - - - -	6	4	14
	54	41	83
Debtors - - - - - - - - - -	3	2	3
Vagrants - - - - - - - - - -	17	33	28

The prisoners who work are allowed 2½ lbs. of the best bread, and a pint of table beer a day; they have salt and warm water with their bread, but no other food, except on Saturday,

Saturday, when cheese and onions are allowed. The untried prisoners, who do not work, have 1½lb. of bread a day, but no beer; they have in addition whatever they can procure from their friends. Formerly they were allowed 3lbs. of brown bread, but they prefer 2½lb. of white; indeed, their allowance is nearly 2¾lb.: this diet has been found sufficient. Prisoners have lived thus for two years without injury to their health, and have left the prison in better health than they enjoyed when they entered it; the prisoners work on the tread-mill; there are not at all times a sufficient number to keep the mill constantly going; they work 20 minutes at the mill, and then rest 10; and the time spent in this way is from October to March, 9 hours; and from March to October, 10 hours a day. The females are employed in washing and mending; their diet is the same as that of the men, with the addition of tea twice a day, and sometimes a little flour. The gaoler said he thought that the prisoners go out of the gaol better characters than they come in; that the women were in general better than the men, and that their health is improved in the gaol. The classification of the prisoners is varied according to circumstances; the female debtors are always kept separate; young prisoners are in general separated from old offenders. The prisoners are provided with Bibles, Prayer-books and tracts. The chaplain is in the gaol on Sunday from 11 o'clock till it is nearly dusk, except at dinner time: there are two services on Sunday; the chaplain frequently comes on other days, and he performs Divine service every Wednesday afternoon. The gaoler has an inspection of every cell and day-room. There have been instances of men getting from one yard to another; refractory prisoners are sometimes put into solitary confinement, but never for a longer period than three days. The magistrates very frequently visit the gaol; the gaoler, who has held his office 13 years, said, that a fortnight had never to his knowledge passed without a visit from some magistrate. The surgeon of the gaol (who is an alderman and a magistrate) receives 50*l.* a year for medicine and surgical attendance at the gaol; he also attends on the vagrants, who are sent by the magistrates to a place called the Spinning-house: he has held his office for 16 years.

Poor.

The corporation has no concern in the management of the Poor.

Patronage.

The only Patronage in the hands of the corporation is the nomination of six poor women to be placed in the almshouses.

Charities.

It will appear by the following statement of facts, that large sums have from time to time been received by the corporation for Charitable Purposes; that the proper application of these sums has been in many instances disregarded; and that malversations of the charitable funds have taken place to a very great extent.

Sir Thomas White's Charity.

By the will of Sir Thomas White, the sum of 104*l.* was directed to be paid to the corporation of Cambridge every 24th year; of this sum 100*l.* was to be lent on bond to four poor freemen, 25*l.* each, for 10 years, clothiers being preferred; and the remaining 4*l.* given to the mayor for his trouble.

The first receipt by the corporation under this charity was in the year 1592, and they have received in all 10 payments. The last payment was made in 1811, of money which had become due in 1808; another sum for 1832 is now due, but has not been paid. As these sums are not to be given, but merely advanced as loans, and repaid every 10 years, there should be now the amount of the 10 payments, 1,000 *l.* in the possession of poor freemen, and secured by bonds, or in the hands of the corporation. A bill was filed in the Court of Chancery against the corporation, about six months before the period of our inquiry. An answer had been put in in the corporate name, and in that of the treasurers and town clerk. Extracts were given from the corporation books, by which it appears that no loans whatever were advanced from this charity, from the year 1738 till 1828. Nothing was done with respect to loans of the last sum received, from the time of its payment in 1811 till 1828. The money had been received by alderman F. C. Mortlock, then mayor, and paid into the bank of Messrs. Mortlock, where it remained till that year. In 1782, the town clerk was required to lay before the corporation a list of such persons as had received any part of Sir T. White's or Mr. Crane's charity, but nothing appears to have been done. In 1787, the payment due in 1784 was made. The books contain no further entry on the subject till 1808, when a claim is entered on the sum, which was afterwards paid in 1811. In 1828 a committee was appointed, and under their direction loans were made of the 100 *l.* to individuals, 25 *l.* each, and secured by their bonds; one of these bonds was paid very lately, and the others are still outstanding. No further account could be obtained of the appropriation of the sums received under this charity. The sum of 900 *l.* therefore, received at the nine previous payments, remains wholly unaccounted for.

Crane's Charity.

The Corporation have been guilty of a similar misappropriation of the funds of Crane's charity, though not to the same extent. Mr. Crane, by his will, dated 1651, directed a sum of money to be invested in land, and the rents to be paid to the town of Cambridge for purposes similar in part to Sir T. White's charity. The money was invested. The rent of the land has varied from time to time. It was ordered by the Court of Chancery that a payment should be made from the charity to the corporation, to be distributed by the mayor, recorder and three aldermen of Cambridge, jointly with others, every five years, to be lent to three young men, 20 *l.* each, for 10 years, towards setting them up in business, two of them being freemen, and a third an inhabitant of the town not being a freeman. The borrowers were to find good security. This course was to be pursued till the money in hand exceeded 200 *l.* That sum was still to be advanced in loans in the manner just described, and the remainder to relieve people in debt, &c. This charity was taken out of the hands of the corporation in 1822, when they paid over the sum of 140 *l.* to the trustees of the charity. We could obtain no account of the amount of the money received by the corporation for this charity; but it

CAMBRIDGE.

appeared from a book, which contained an account of the charities in the hands of the corporation to the year 1817, that there were in that year only four outstanding bonds, though from the state of the fund the number should have been 10. An alderman, who is one of the trustees of the charity, stated that the money had been dormant in the hands of the corporation; and that till 14 or 15 years ago he had never heard of a distribution of it. The town clerk said that he had tried in vain to find any accounts in the corporation books respecting the receipts or appropriation of this fund, and that he had no doubt that there had been great misapplication.

Besides the sum of 140 *l.* already mentioned, three bonds for 20 *l.* each were handed over by the corporation to the trustees in 1822.

Spital House.

Six alms-women are placed in the Spital-house by the mayor for the time being, and they are usually continued for life.

There is an allowance of 20 *s.* a quarter amongst the six inmates, and for some years past the corporation have annually voted 12 *l.* to the same purpose.

Elizabeth Knight's Charity.

Six almshouses were founded by Elizabeth Knight; and the alms-women are appointed by the mayor and aldermen; Alderman William Mortlock is the treasurer, and has been a considerable benefactor to the charity.

Lambert Damps's Charity.

The corporation supply, 120 bushels of coals yearly to the poor of the several parishes, as the bequest of Lambert Damps.

Richard Chevin's Charity.

Two sermons are preached every year, at which times money is given to the poor by the corporation, under the will of Richard Chevin.

Alderman Mott's Charity.

The corporation pay 6 *l.* per annum for a sermon at Trinity church, and for the use of the poor, under the will of William Mott, alderman.

Alderman Chapman's Charity.

An obiit sermon is preached yearly, when a distribution to the poor is made, in conformity with the will of Edward Chapman, alderman.

The following charities are said to have been entrusted to the corporation, but their officers can give no account of them; nor do their books furnish any evidence. The statement we give on the authority of an individual who was many years in the town clerk's office, and appears to be well acquainted with the affairs of the corporation.

Alderman Francke's Charity,

Christopher Francke, alderman, by his will dated 1558, gave to the corporation three booths in Stourbridge fair, for an obiit sermon in Trinity church, and a distribution of 1 *l.* to the poor. An annual sum of 1 *l.* 19 *s.* 9 *d.* was formerly paid on account of this charity, but nothing has been paid for many years. The treasurer knows nothing of the charity.

Richard Chevin's Charity.

Richard Chevin, by his will dated 1559, gave to the Spital-house the profits of his clay-pits at Chesterton, (now occupied by the treasurer of the corporation). Neither the annual rent of 20 *s.*, nor the fine paid on renewal, has been applied to the purposes of the will. The treasurer knows nothing of the gift.

Elizabeth Wolfe's Charity.

Elizabeth Wolfe, by her will dated 1566, charged a close at the back of Peterhouse College, with the payment of four chaldrons of sea-coal, to be given at Easter and Christmas to the poor of the town, at the discretion of the mayor and aldermen, to whom she gave 6 *s.* 8 *d.* for their pains.

The coals are not now distributed, and the treasurer knows nothing of the charity.

Thomas Peacock's Charity.

In 1581, the corporation, in consideration of 20 *l.* paid them by Thomas Peacock, B.D., covenanted to distribute bread to the amount of 16 *d.* every month amongst the prisoners in the Tollbooth. Four pennyworth of bread is sent to the town gaol weekly at the expense of the corporation, and it is supposed by the treasurer to be on account of this charity.

Thomas Ellys's Charity.

Thomas Ellys, by will dated 1593, gave a freehold and leasehold estate in St. Peter's parish, charged with the payment of 6 *s.* 8 *d.* per annum, to the poor of each of the five parishes of St. Peter, St. Giles, St. Edward, St. Andrew the Great, and the Holy Trinity. These payments are never made.

Alderman William Foxton's Charity.

About the year 1600, William Foxton gave the corporation three booths in Chapel-ground at Stourbridge fair, for an obiit sermon at Great St. Mary's church; and 40 *s.* to the poor, at the discretion of the mayor and three senior aldermen.

The sermon is not preached, nor is the money distributed.

The treasurer says that he knows nothing of this charity, but that no booths have been put up in Chapel-ground for many years.

It appeared from the evidence of others, that they had been erected within the last 20 years.

John Sherward's Charity.

John Sherward, by his will in 1642, gave 260 *l.* to the corporation, to be lent out on bonds in sums of 20 *l.* without interest, to 10 tradesmen, to be repaid "as in such cases is usual."

The corporation received this sum on the 11th January 1646, but no part has been lent out for many years past.

The treasurer knows nothing of the charity.

Elizabeth Knight's Charity.

The same Elizabeth Knight who founded the six almshouses gave, by her will, dated 1647, 160 *l.* to the corporation; to be lent in sums of 20 *l.* without interest, to eight poor young men, for three years.

No part of the money is applied to this purpose, and the treasurer knows nothing of the charity.

Alderman Richard Foxton's Charity.

Richard Foxton, Esq., alderman, by his will, dated 1648, gave 25 *l.* as a supplement to Sir Thomas White's charity; directing it to be lent to a poor decayed tradesman, on security, without interest, for seven years; and when repaid, to be again lent out in the like manner.

The corporation received the money in 1656; it was lent out then, and has often been so since; but is not at present applied to the purposes of the will.

Thomas Medsope's Charity.

On the 4th November 1650, the corporation received 100 *l.* of Dr. Comber, Master of Trinity College, as the gift of Thomas Medsope, B.D., who directed the interest to be given annually to the poor of the town.

The treasurer knows nothing of this charity.

Alderman Newton's Charity.

Samuel Newton, alderman, by his will, dated 1716, gave four booths in Stourbridge fair to the corporation, who used to expend 3 *l.* 10 *s.* annually on an obiit sermon, at St. Edmond's church, and for the poor. This sermon, and the distribution, were discontinued by Mr. Mortlock.

The treasurer says that the property of the corporation in Stourbridge fair is now decreased in size, and that the corporation have no booths there; but he never heard of the charity.

Alderman Greaves's Charity.

In 1750, Thomas Greaves, alderman, gave, by will, to St. Sepulchre's parish, a rent-charge of 20 *s.* a year, payable by the corporation. This sum was paid in 1786, as appears by the Parliamentary Return under Mr. Gilbert's Act; but the corporation have not paid it for many years past.

The treasurer could give no reason for the discontinuance, but said that he was charged with the arrears every year. It is said that MSS. in the British Museum furnish further evidence of charities intrusted to this corporation; but their books contain no extracts on the subject.

Licenses.

We have already seen that the corporation have no concern with licensing public-houses. (*see* title "Charters.")

Property.

The Property of the corporation is derived from grants by the Crown. The town of Cambridge belonged to the Crown in the time of William the Conqueror. Henry the First granted it to the corporation, they paying the accustomed rent as the sheriff had been previously used to do. This grant was confirmed by the charter of John. The property consists of land, houses, buildings, shambles, tolls of fairs and markets, and stock in the funds. To these sources of income must be added sums received for fines.

Lands, Houses, &c.

The rent now received by the corporation for the Lands, Houses, &c., amounts to 542 *l.* 14 *s.* 6½ *d.*

It appears by the account of the property returned to us by the corporation, that almost the whole of it is leased for very long terms of years. In six instances feoffments have been made by the corporation, reserving small rent-charges. Sixty leases have been granted for the term of 999 years, two for 982, one for 500, three for 99, sixty-nine for 40, and two for 21 years.

In 1758 the following Bye-law was passed to regulate the granting of leases:—"It is this day unanimously agreed, ordered and directed, that whenever any lease or leases of any estate or estates held of the corporation shall for the future be wholly or nearly run out, that the town clerk acquaint the mayor for the time being of the same; and advertize such estate or estates in the *Cambridge Journal*, to be sold to the best bidder."

In 1791 this order was repealed, but was revived in 1819.

Leases.

A Lease was granted by the corporation, 17 April 1792, of a tenement called Clement's Hostle, for 999 years from Michaelmas 1791, at the yearly rent of 20 *l.*; 150 *l.* was paid as a fine; and a former lease for 40 years from Lady-day 1784, was surrendered. Another part of the same premises was leased to the same individual, 29 September 1794, for 999 years from Lady-day 1794. The rent was 2 *l.*, and the fine paid 50 *l.* On the 8th August 1808, a piece of void ground was granted to the same person, for 999 years from Michaelmas 1807, for one guinea fine and one guinea rent; 23 July 1811 another lease of waste ground was granted to him, for 999 years from Michaelmas 1810, for one guinea fine and 2 *s.* 6 *d.* rent. It was proved that these leases, together with another corporation lease, granted in 1797, at two guineas rent, had been afterwards sold in 1824 for 3,750 *l.* The premises let contained a public-house fronting the street, a liquor-shop, a saddler's shop, a large and very good mansion-house, a great deal of stabling, several very well built brick houses and a large garden. The lessee had built nothing on the premises during his occupation except a summer-house, which, it was stated, could not have cost more than 100 *l.*; and the purchaser, an old inhabitant of Cambridge, said, that he had done little or nothing to the premises except in the way of temporary repairs. He added, that he himself had bought the premises on speculation, and that it had turned out very well.

In the year 1808 the corporation let a piece of land to Alderman Purchas, for 999 years, at a fine of three guineas, and 10 *s.* rent. In 1812, the lease of a part of this land was sold by the alderman for 210 *l.*, no money having been laid out upon the premises. Two other leases, for 999 years, were granted to the same person in 1792, both on the surrender of

CAMBRIDGE.

former leases: on one of them the fine paid was 21 *l.*, and the rent 1 *l.*; and 10 *l.* fine, and 2 *l.* 2 *s.* rent on the other.

The corporation granted in 1830, to Joseph Spencer, a common councilman and brother of the treasurer, a lease for 40 years of a stall under the Shire-hall, on the surrender of a former lease, of which 20 years were unexpired, and for a fine of 20 *l.* and a rent of 2 *l.* 2 *s.*, without any outlay; he has since underlet it for 30 *l.* a year. The rent appears to be thought high, but the treasurer stated that 25 *l.* would be a fair rent.

A lease had been granted to Alderman Newling, in 1790, of a house called the Queen's Arms, for 21 years, on payment of a fine of eight guineas, and a rent of two guineas. In 1792, on a surrender of this lease, a new one was granted for 999 years, on payment of a fine of 5 *s.*, and a rent of 4 *l.*

In June 1784, a lease was granted by the corporation to Edward Gillam, of a house called New England, and eight acres of land, on the surrender of a former lease which had 22 years to run; the fine paid was 15 *l.*, and the rent reserved 3 *l.* On a surrender of this lease in 1792, a new one was granted of the house for 999 years, for a fine of 188 *l.*, and 4 *l.* rent. At the same time, a lease was granted of the land for 40 years, for 1 *s.* fine, and 3 *l.* rent: this last lease having lately run out, the corporation let the land by auction for 14 years, for 24 *l.* 3 *s.* rent.

A lease was made in 1823, by private contract, to T. Seymour Hyde, Esq., a non-resident freeman, of an allotment in the town, of 1 R. 15 P. in extent. The fine paid was five guineas, the rent reserved, 10 *s.* a year, and the term 40 years. The lessee is an active supporter of the Rutland interest. The treasurer said that this property had been previously in the occupation of a burgess of the name of Comings, who had never paid any rent for it, nor had been required to pay any; and he thought that the corporation were not aware that the property belonged to them till they were informed of it either by Comings or Hyde. A resident freeman, who is a respectable tradesman in the town, said that he would have given 40 *l.* for this lease in 1823, subject to the reserved rent.

Tolls.

The origin of the right of the corporation to take Tolls does not clearly appear; they received the tolls of the markets and fairs within the borough: they have been varied from time to time by the corporation. In 1814, 1 *d.* a week was taken for a basket standing in a stall; at present 1 *d.* a day is paid. In the year ending Michaelmas 1832, the sum received by the corporation for tolls, was 222 *l.* 10 *s.* 8 ½ *d.*

Clerk of the Market's Stallage.

The Clerk of the Market has been allowed by the corporation to put up some stalls in the market, from which he derives a profit. He proposed to introduce a new plan, by which two persons should occupy little more room than one had previously done. The other stalls belong to private individuals, who pay stallage. Ten stalls were erected by the clerk of the market; one stall was removed to make room for the new ones. The other stalls appear to have been erected on unoccupied places in the market. The stalls are moveable, and are pulled down every Saturday; the stallage received by the clerk of the market is about 24 *s.* a week. The expenses amount to about 24 *l.* 6 *s.* a year. The emoluments arising from these stalls are received by the clerk of the market for his own advantage. No reason was given for the corporation allowing him to enjoy this privilege without paying for it; he is the high constable, and was a member of the Rutland Club.

Funded Property.

The only Funded Property of the corporation is 250 *l.* in the Three per Cent. Consols.

Fines.

The average amount of Fines for the last seven years has been 172 *l.* per annum.

Felons' Goods.

The corporation once received the proceeds of the Goods of a Felon.

Property sold.

Within the last 50 years the corporation have sold Property to the amount of 3,673 *l.* 16 *s.*, averaging about 73 *l.* a year; during the latter part of this period, however the expenditure appears to have exceeded the income of the corporation in a larger proportion than in the former, for the yearly sum from the sale of lands in the last 14 years has been on an average 98 *l.* It must be observed, that the corporation still derive a very small income from certain portions of this property in rent-charges, amounting in the whole to 4 *l.* 5 *s.* a year.

Stock unaccounted for.

A part of the proceeds from the sale of the estates has been expended in the purchase of Stock, at different periods, amounting in the whole to the sum of 943 *l.* 11 *s.* 11 *d.*; this stock, however, has disappeared, and no account can be given of any part of it beyond the sum of 3 *l.* 0 *s.* 3 *d.*, which forms part of the stock now held by the corporation; nor is this the whole of the stock in their hands which remains unaccounted for. In the year 1792 land was sold to Mr. Peete Musgrave for 32 *l.*, and the proceeds are stated to have been invested in stock, but no account is given of the amount purchased, nor is it in any way accounted for. The sum of 200 *l.*, the proceeds of land sold to Trinity College in 1823, is precisely in the same predicament.

Produce of Sales unaccounted for.

Besides the proceeds invested in stock, the following sums, arising from the Sale of Corporation Property, are entirely unaccounted for: 290 *l.* from a common councilman in 1790; 205 *l.* from Charles Humfrey in 1803; 650 *l.* from Peete Musgrave in 1809; 50 *l.* from Captain John Purchas in 1809; and 2 *l.* 2 *s.* from Alderman Bond in 1809: the remaining proceeds of the sales within the last 50 years have been paid over to the treasurer, 1,000 *l.* part of the debt to Mr. Leake, which has been already mentioned, has been paid; all the stock now belonging to the corporation, except the 3 *l.* 0 *s.* 3 *d.* before stated, has been bought from this fund; and the remainder has been expended for the general purposes of the corporation.

We now proceed to state some particulars respecting Sales made by the corporation.

Sales of Land.

In 1791 the corporation sold some Land to Stephen Robinson for 21*l.*, who, two days afterwards, sold it for 30*l.* to an attorney, named Butcher, who was an alderman, and appears to have had very great influence in the corporation. We entertain no doubt, from the evidence brought before us, that the sale to Robinson was a mere pretence; that Butcher was the real purchaser, and that the property was at the time of the sale worth at least 400*l.*, and probably, considerably more: this grant, said a respectable inhabitant, became the signal for a general scramble among the corporators.

In 1809, a sale was made to Captain John Purchas, a freeman, and son of an alderman of that name, of an allotment of land, called the Gravel Pits, for 50*l.*; Mr. Elliott Smith, an auctioneer, who has had great experience in the sale of property in Cambridge, stated, that he had sold this allotment by auction in 1817 for 445*l.* 18*s.*: there was no building upon it. He had known the land in 1809, and had no doubt that it was worth, at the very least, 200*l.* at that time.

Two pieces of land were sold to Alderman W. J. Purchas, another son of Alderman Purchas, in 1809 and 1810, for two guineas, and a fee-farm rent of 5*s.* reserved for the last piece of land: this rent has never been paid or demanded, and is not entered in the rental of the corporation. The land was bought for Mr. Purchas, by his father, when he was absent from Cambridge, and without his knowledge. Mr. Elliott Smith gave it as his opinion, that the two properties together were worth 150*l.* or 160*l.* at the time of the sale: other and inconsistent testimony was given as to the value of this property, but considering Mr. Smith's great experience, we rely on his judgment.

A piece of ground was sold to Alderman Frederick Cheetham Mortlock in 1812 for 40*l.*; Mr. Foster and Mr. Beales, two inhabitants well acquainted with Cambridge, said that they thought the property at the time of the sale was worth 300*l.*

In 1816, another piece of land was sold to the same person for 30*l.* Mr. Elliott Smith said, that judging from the price given for other property in 1815, he thought it was at that time worth 200*l.*

In 1809, a piece of waste land was sold by the corporation to Alderman Bond for two guineas; Mr. Smith stated, that it must have been worth at that time from 100*l.* to 120*l.*

Two other pieces of ground were sold to the same person in 1810 for one guinea, and an annual rent of 10*s.* Mr. Smith said, that these pieces were worth pretty nearly 150*l.* at the time of the sale.

In 1809, Mr. Richard Starmer, a common councilman, purchased two pieces of land of the corporation for 150*l.* He gave evidence before us respecting this purchase; and stated, that he considered it a good bargain, and that it turned out so, but it was not better than many others. He sold one part of it in the following year for 171*l.*, and had not laid out any money upon it; he thought the remaining part was worth nearly as much. He had no doubt that the two pieces would have sold for 300*l.* in 1810, and that they might probably have sold for 280*l.* in 1809. He did not know why they let him have it at this price, but many good bargains were got by members of the corporation about the same time. All had good bargains, some better than others; and Alderman Butcher the best of all.

References to settle the terms of Leases.

He said that he had often been upon References. Sometimes the relations of applicants for leases were appointed referees, but that he considered unfair. The aldermen had the greatest influence on these occasions, and an alderman would probably have rather a better bargain than a common councilman, and a common councilman better than a burgess; latterly the bargains had not been so good. The referees dined together, and had very pleasant parties. The lessees never dined with them unless they happened to be members of the corporation.

Theory of Corporation Property.

He thought that the property belonged, *bonâ fide*, to the corporation, and that they had a right to do what they pleased with their own. If the property was worth 100*l.* a year, he would let it to a corporator for 90*l.*, but he was generally considered too high in his valuations. The corporation had a right to expend their income on themselves and their friends, without being bound to apply any part of it to the good of the town. This he thought was the general opinion among the referees and other members of the corporation. Such is the theory of a member of the Cambridge common council, which, however frequently it may have been acted upon, has seldom, we conceive, been openly supported by so unflinching an advocate.

The town clerk said, that he felt deeply affected at what had been stated by Mr. Starmer, and that if the leading members of the corporation entertained similar views, he should feel bound, as a man of honour, to resign his office. Alderman W. J. Purchas said, that nothing on earth would induce him to act on the principle stated by Mr. Starmer. There was no doubt that great abuses had existed, and no one lamented them more than he did; but he did not think they had been continued since 1821. For many years the property had been sold under its value, and Starmer had made the matter as bad as it could be made; but he was not prepared to contradict his statement, nor was he aware that either his father or his brother had particularly good bargains in their leases and purchases of corporation property.

Another alderman said that he had attended the references, but had never acted on the principle avowed by this common councilman; and he disclaimed his statement of the mode in which the references were conducted, asserting that while he was a referee, the property had been let at its full value, and without partiality. He would admit that the corporation

CAMBRIDGE.

had done many things which they ought not to have done, and he particularly disapproved of the leases for 999 years. Indeed, if the estates had been properly let, they would now, he thought, be producing a rent of 2,000 *l.* a year; but latterly the rents had been nearer the real value than formerly. He was himself a lessee of the corporation, and on the renewal of one of his leases, he was called upon to pay a fine of 120 *l.*, which he thought "rather too much for an old corporator." Not that he himself made any difference between corporators and others.

A third alderman denied that any preference had been shown to the corporators, and expressed his conscientious belief, that the property had been let at its full value. He had been a joint referee with Starmer, and had recommended the lease to Spencer. According to his own calculation, the fine upon the renewal of that lease should have been at least 34 *l.* 4 *s.* 6 *d.* The fine he recommended was 20 *l.* and he was unable to assign any reason why it was fixed so low.

The treasurer, who is a brother of the lessee last mentioned, was one of the referees appointed to determine what fine and rent his brother was to pay. He admits that he thought they were fixing too low a fine, but it was not for him to complain, so he said nothing. It was true that his brother, for a fine of 20 *l.*, and an annual rent of 2 *l.* 2 *s.*, got a 40 years lease of property, which he underlet for 30 *l.* a year, and which was really worth 25 *l.* a year; but his brother was not particularly favoured; not more than any other member of the corporation would have been. Since 1819 he had himself been on almost every reference; there was no rule in fixing the value; but of late years they had got nearer the mark.

Such has been the management, and such the persons selected to manage the property of the corporation.

It appeared to be generally agreed by the witnesses, that property had been of late years disposed of on more advantageous terms for the corporation than formerly. The town clerk said he thought that if the corporation had managed their property properly, they would have been one of the richest out of London.

Debts.

The Debts of the corporation consist of the 3,000 *l.* still due to Mr. Leake, as already mentioned, and of 150 *l.* due to Messrs. Mortlock. These debts are secured by bonds, bearing interest; those given to Mr. Leake at 3 ½ per cent, and those to Messrs. Mortlock, at 5 per cent. In the year 1815 the sum of 1,670 *l.* was due to Messrs. Mortlock. In February in that year bonds were given to the then Messrs. Mortlocks, who were partners in the bank, and all of them aldermen, for that sum, which was described in the corporation books as a balance due as settled and allowed at the last audit. It appears to have been the balance of a banking account of the corporation. To the entry just quoted is added the following memorandum: "*N.B.* The property tax has never been allowed on the different sums paid for interest." From 1801 to 1815 there was a varying balance. In the year 1801 it was about 235 *l.*, and in 1802 it had advanced to 1,159 *l.*, though nothing more appears by the treasurer's accounts to have been received in that year than 10 *l.* No account at all was given of the manner in which this increased debt had arisen. It may be here observed, that while the corporation have been paying interest on their debts, a considerable balance has been lying in their treasurer's hands.

Annual Income and Expenditure.

The following statement shows the Receipts and Expenditure of the corporation during the last 14 years, ending in 1832, with the balances held by the treasurers.

YEAR.	RECEIPTS.	EXPENDITURE.	BALANCE.
	£. s. d.	£. s. d.	£. s. d.
1819	2,650 – 8	2,452 8 8	197 12
1820	1,660 5 6 ½	1,260 13 4 ½	399 12 2
1821	1,739 5 – ½	1,316 18 10 ½	422 6 2
1822	2,374 – 3 ½	1,948 5 6 ½	425 14 9
1823	1,788 11 5 ½	1,163 11 5	625 – – ½
1824	1,801 7 10	905 7 1 ½	896 – 8 ½
1825	2,178 10 4	1,484 16 6	693 13 10
1826	1,614 1 2	1,108 11 2 ½	505 9 11 ½
1827	3,016 8 – ½	2,614 – 1	602 7 11 ½
1828	2,129 – 5	1,672 14 10 ¼	456 5 6 ¼
1829	1,798 7 – ¾	1,463 13 6 ½	334 13 6 ¼
1830	3,206 9 3 ¾	2,248 3 1	958 6 2 ¾
1831	2,819 18 10 ¼	2,197 13 11 ½	622 4 10 ¾
1832	2,212 8 1 ¾	1,081 3 7 ½	1,131 4 6 ¼

The

The Income of the corporation for the year ending at Michaelmas 1832, was as follows:

	£.	s.	d.
Rental of land, houses, &c.	542	14	6½
For a lease for 40 years of premises let by auction	525	–	–
Fines on granting leases and licences to alienate	125	15	–
For estates granted by feoffment	175	–	–
Arrears of rent	14	4	6
Tolls, &c., of markets and fairs	222	14	2½
	1,612	18	3
Add balance in the treasurer's hands at the beginning of the year	622	14	10¾
Disbursements for the year £. 1,081 3 7½			
Arrear 22 15 –			
	1,103	18	7½
Balance due to the Corporation £.	1,131	4	6½

The auditors of this account recommended the payment of a bond of 500 *l.* to Mr. Leake, which has been paid accordingly.

The following is an analysis of the Disbursements for the year:

	£.	s.	d.
Salaries, wages, &c.	247	14	11
Repairs and improvements	82	8	–
Spital-houses	19	–	–
Dinners	27	10	8
Paving	21	4	–
Land-tax	49	2	6
Insurance	5	14	7
Journeys to London	25	12	11
Obiit sermons	16	–	–
Gratuities and pensions	17	17	–
Law expenses	147	16	–
Interest on bonds	130	–	–
Serjeants at sessions	5	6	–
Subscriptions to hospitals	5	5	–
Fee-farm rent	61	5	–
Tradesmen's bills and incidental expenses	165	7	–½
	1,081	3	7½

Very heavy expenses have been incurred by the corporation in certain proceedings in the courts of law and equity. The chief of these were, 1st, an action brought to try the right of admission to freemen; 2d, an action for tolls claimed by the corporation for every laden cart coming into Cambridge. In this last action the corporation were defeated, and the expense of the cause was between 4,000 *l.* and 5,000 *l.* The debt from the corporation to Mr. Leake was contracted for the purpose of paying the expenses of this action. 3d. A suit in the Court of Chancery to recover the books and papers of the late town clerk, who had been accused of a felony, and had absconded to America. It was on occasion of these proceedings that the journeys to London, which form an item in the expenditure of the above account, were taken by the deputy mayor and town clerk.

Receipts and Disbursements for the last 14 years.

	£.	s.	d.
The Receipts of the corporation including the balances for the last 14 years have amounted to the sum of	31,188	14	2
Deduct the total amount of the balances in hands of the treasurer for 13 years	7,139	7	9
	24,049	6	5
Disbursements during 14 years	22,918	1	10¾
Balance in hand at the end of the last year £.	1,131	4	6½
Average of 14 years receipts	1,717	16	2
Average of balances in the hands of the treasurer for 14 years £.	590	15	2

No reason was given why so large a balance was allowed to remain in the treasurer's hands, or why part of it has not been applied to the liquidation of the debts of the corporation.

CAMBRIDGE.

The following analysis was given of the items of expenditure for the last 14 years:

	£.	s.	d.
Salaries of officers	4,039	9	1
Expenses of repairs	1,560	15	7½
Extraordinary expenses	2,255	2	7
Mayor's and other journie	110	13	4½
Dinners	1,308	11	–
Charge on property	1,150	–	–
Interest on debt	742	12	7
Subscriptions	480	–	11
Law expenses	7,560	11	1½
Charities	545	17	4
Fee-farm rents, quit-rents, and land-tax	1,587	5	–
Obiit sermons	280	–	–
Insurance	43	4	7
Ordinary and incidental charges	1,253	18	8
TOTAL £.	22,918	1	10½

The balance in the hands of the treasurer on the settlement of his account at Michaelmas 1832, has been shown to have been 1,131*l.* 4*s.* 6½*d.*; that sum, therefore, is the excess of receipts above expenditure for 14 years. A large part of these receipts has been derived from the sale of lands, and from the loan of Mr. Leake to the corporation which has been so often mentioned. The amount is as follows:

	£.	s.	d.
Proceeds of property sold in 14 years	1,375	–	–
Remaining due of sum borrowed from Mr. Leake during the same period	3,000	–	–
	4,375	–	–
Deduct payment of a previous debt to Messrs. Mortlocks in 1819	1,070	–	–
	3,305	–	–
Deduct balance in hand	1,131	–	–
£.	2,174	–	–

It appears from this statement that the expenditure of the corporation has exceeded their large income for the last 14 years by 155*l.* a year. The income has been greatly lessened by the decision against the corporation in the great toll cause; the tolls had previously produced 750*l.* a year. In the absence of further alienation, the income which it is probable that the corporation will receive in future, is as follows:

	£.	s.	d.
Rents	542	14	6½
Tolls of fairs and markets	222	10	8½
Interest of 250*l.* consols	7	10	–
Average of fines	172	–	–
£.	944	15	3

We have seen that the expenditure of the last year was 1,081*l.* 3*s.* 7½*d.*; this sum exceeds the probable future income by about 136*l.*, but it should be observed that the sum of 130*l.* was expended in the Chancery suit above mentioned, to which must be added 25*l.*, the expenses of the journey to London occasioned by the same. It seems, therefore, probable that, supposing the same expenditure to continue, the income of the corporation in future will cover it, but that little (if anything) will remain for the liquidation of the debts.

Auditing Accounts of the Corporation. The Accounts of the treasurer are made up to Michaelmas every year, and are audited by four aldermen and four common councilmen appointed by the mayor, but the items are not in general gone into, as has been shown already: (*see* "Treasurers, functions of"). The accounts were for some time not settled annually, owing to disputes about the custody of the books which had been placed in the hands of the town clerk, on account of the trial of the toll cause. An order was made in August 1826, directing that the accounts should be laid before the burgesses; this is always done, but the accounts are not printed. The auditors are all tradesmen, and it frequently happens that they are present when their own accounts are audited. It does not appear that an auditor ever retires on these occasions.

Town Rate. A Town Rate, in the nature of a county rate, is made by the magistrates at each quarter sessions; it varies in amount, being sometimes 1¼*d.*, and sometimes 1½*d.* in the pound. Accounts were presented to us of the receipts and expenditure from Easter 1832, to

to Easter 1833. The receipts (including a balance in the hands of the treasurer of the town of 122*l.* 17*s.*) amounted to 1,954*l.* 18*s.* 9*d.*; the disbursements were 1,828*l.* 6*s.* 4*d.*, leaving a balance of 126*l.* 12*s.* 5*d.*

The heads of the disbursements are as follows:

	£.	s.	d.
Salaries	225	8	–
Maintenance and medical attendance of prisoners in the gaol and house of correction	433	2	10 ½
Repairs, &c., to the gaol and house of correction	74	14	3 ½
Coroner's bills	14	14	–
Constables' expenses in the apprehension, &c. of vagrants, &c.	168	6	10
Clerk of the peace's bills	197	8	6
Prosecutions at the assizes and sessions	415	3	5
Expenses of conveying convicts to the hulks, &c.	56	10	6
Expenses at the sessions	66	5	6
Bills and incidental expenses	165	7	5
Insurance of the gaol	11	5	–
£.	1,828	6	4

The four rates for the year amount to 6 ½ *d.* in the pound, on a late valuation of the whole rateable property in the town.

The Amount of the Salaries paid out of the Town Rate, is as follows:

	£.	s.	d
Treasurer	15	–	–
Chief and high constables	5	–	–
Gaoler and his wife	90	–	–
Turnkey	52	–	–
Governor of the house of correction	18	18	–
Clerk of the petty sessions	4	10	–
Chaplain	40	–	–
£.	225	8	–

The magistrates' dinners at the sessions are always paid for out of the town rate. The amount for the last year was 57*l.* 19*s.* 6*d.* The counsel attending the sessions are always invited. The treasurer of the town rate, and the surgeon of the gaol are both aldermen, and the surgeon is a magistrate. The tradesmen employed are generally but not always members of the corporation. The surgeon is the only magistrate who has an annual bill upon the rate; he states that he never makes out a bill, but sends in his claim for the gross amount. The other magistrates once asked for the particulars, which he declined to give.

Building a new Gaol.

In 1827, an Act of Parliament passed, empowering the magistrates to expend 15,000*l.* in building a new Gaol. A contract was made for that purpose, and between 7,000*l.* and 8,000*l.* were to be paid for building the gaol; no account has been published of the sum expended. The amount of all the rates levied is 11,275*l.* 7*s.* 11 ¼ *d.*; the sum expended, including the expenses of obtaining the Act, the purchase of the site, the cost of building the gaol, of drainage, erecting a tread-mill, interest on loans, salaries, allowances and other miscellaneous matters, up to the audit on the 27th August 1833, is 15,738*l.* 3*s.* 1 ¼ *d.*

Auditing Town Rate Accounts.

The Accounts are made up from Easter to Easter, and are audited and published every year in August; they are audited before the magistrates at sessions. It appeared that the surgeon of the gaol had sometimes been present at the auditing of accounts, but he never acted in auditing his own bills; the meetings at which the accounts are audited are also held for other purposes.

The increase of the town rate of late years has been very great, as the following Account will show:

Amount of Town Rate in	£.	s.	d.	Amount of Town Rate in	£.	s.	d.
1813	590	–	–	1824	1,150	–	–
1814	690	–	–	1825	1,425	–	–
1815	700	–	–	1826	1,550	–	–
1816	760	–	–	1827	1,300	–	–
1817	831	7	1	1828	1,609	19	5 ¼
1818	910	12	10	1829	1,758	2	1
1819	873	8	1	1830	1,596	5	3 ¾
1820	1,246	3	6	1831	1,383	8	7 ¼
1821	1,003	8	1	1832	1,657	2	11 ¼
1822	1,225	–	–	1833	1,690	19	–
1823	1,375	–	–				

Paving Acts.

The Paving and Lighting, &c. of the town of Cambridge is done under the authority of two Acts of Parliament.

The sum of 1 *s.* 3 *d.* is levied by the commissioners annually on all property, parochially assessed at 5 *l.* a year, or any higher sum; and 1 *s.* on all property assessed below that sum; there are also certain daily tolls on carriages, waggons, &c. The University pay two-fifths of the whole expense, and are exempt from all other charges. The corporation pays 10 *l.* a year. The average annual expenditure, including the interest of money borrowed, is about 3,000 *l.*: the interest paid is 300 *l.*, to which the University quota does not apply. These Acts are for lighting, paving and cleansing the town, but not for watching.

River Cam Acts.

By stat. 1 Ann. for making the River Cam more navigable, the Chancellor and heads of the colleges of the University are to appoint three; the magistrates of the county five; and the mayor and aldermen of Cambridge three conservators of the river; and certain tolls are to be levied for the purposes of the Act: a statute passed in the 52 Geo. 3, for amending this Act. The conservators appointed by the mayor and aldermen have always been selected from their own body; and according to the representations of a merchant who has contributed largely to the tolls, and is now the lessee, they have generally been very incompetent persons; the consequence has been inconvenience and injury to the trade of the town; and although complaints have been repeatedly made, they have not met with any attention; at present, however, great improvements are going on, which are expected to cost 13,000 *l.* or 14,000 *l.*

The accounts of the receipts and disbursements are directed by the Act, after they have been audited, to be entered in three books; one of which is to remain among the records of the sessions of the peace of the town of Cambridge, and may be inspected by any person requiring the same. Such book is, however, never delivered by the conservators to be put among the sessions' records.

Bridges and Quays.

The corporation are bound to repair two Bridges and a Quay within the town; these bridges, as well as the quay, have been suffered to continue in a very bad state. Several indictments have been found against the corporation for neglecting to repair, and they have been convicted in every case. The two last indictments were found at the county midsummer sessions in 1813, when they suffered judgment by default. An attempt was made some time ago to get rid of the burden by making one of the bridges a parish bridge, but it was unsuccessful. Then a merchant in the town proposed a subscription for a new iron bridge, on condition that the corporation should contribute liberally, and he began by offering to give 100 *l.* himself; but the corporation declined to contribute at all, and the project was consequently abandoned. One of these bridges remains in a bad condition; and the road leading from it, which the corporation also are bound to repair, is equally bad. The public quay was repaired about three years ago, after several accidents had occurred, and the corporation had been threatened with another indictment.

Commons.

The state of the Commons belonging to the corporation was spoken to by several witnesses. It appeared that one of them had been greatly improved by draining; the expense, of which 150 *l.* was raised by a subscription, to which the corporation contributed 10 guineas. A respectable and intelligent witness said, that previous to the draining, medical men had declared that the state of this common was likely to be most injurious to the health of the inhabitants of the town. He thought that, since the land had been drained, it would let for 10 *l.* an acre; and that, before that time, it had not been worth more than 2 *s.* 6 *d.* an acre. The other commons, he added, might be rendered very valuable by proper attention and drainage; but they had been so much neglected that they were of very little benefit to the town. For the last 30 years frequent complaints had been made to the corporation; but they would neither do anything themselves, nor suffer others to interfere. He also said, that he had known the water to stand upon the commons up to the horses' knees; and that at Stourbridge fair, where the corporation take tolls for the standing of horses, he had known the horses to stand up to their knees in mud.

Political Influence.

It is perfectly notorious at Cambridge, and denied by none, that a very powerful Political Influence was exercised there by the family of the present high steward, the Duke of Rutland, for a long series of years. An account-book was produced before us, containing entries which were proved to be in the handwriting of the late Alderman Butcher, who was the solicitor of Mr. Mortlock. It will be remembered that the case of *Newling* v. *Francis* which was referred to in the early part of this report, was tried in the Court of King's Bench. The action was brought to try the right of the election of mayor, as practised by the corporation. The decision of the court in favour of the corporation took place in Easter term, 1789.

The following are among the entries, which are headed "Her Grace the Duchess of Rutland:"

6th October 1788.—Paid Mr. Nicholls special messenger, his expense of coach-hire to and from London, and expenses there, to carry to your Grace the Corporation cross-book and a case.

Copying the affidavit of Newling and others, against Mr. Forlow, sen. to send Mr. Sergeant Le Blanc.

Copying the affidavit of Day and another, against the Bailiffs, to send Mr. Sergeant Le Blanc.

Copying the affidavit of Day and another, against the Counsellors, to send Mr. Sergeant Le Blanc.

Copying case and opinions of Mr. Fitz Gibbon, Mr. Sergeant Le Blanc and Mr. Graham, in order to lay before Mr. Douglas, by your Grace's express order.

Drawing affidavit, to show cause against the Mandamuses.

29th June 1789.—Journey to London, being from home eleven days, when special verdict was argued and decided in favour of your Grace.

20th May 1789.—Journey to town, the court having been moved against Mr. Mortlock, for exercising the office of Freeman of Cambridge, when the rule was discussed, with costs; being from home five days.

Paid Powell, the famous walker, for bringing the affidavit to Cambridge.

Paid swearing by order of Mr. Mortlock.

Drawing a very long and special affidavit, to show cause against the rule being made absolute against Newling.

July 1789.—Drawing a very long and special case to lay before Sergeant Le Blanc and Mr. Douglas, concerning the dispute with Mr. Bond, and how it would affect your Grace's interests.

4th July 1789.—As it was of the utmost importance to know how your Grace's interest in the borough would stand in case we succeeded against Bond: Journey to town for the purpose of advising with counsel, and to attend the consultation; being from home four days.

The duchess was at that time a widow, and the present duke a minor.

A club existed for many years at Cambridge, called the Rutland Club. The following cautious account is given of it by the deputy town clerk, himself a member:—

Rutland Club.

The club consisted of members of the corporation. They met at the Eagle Inn, the landlord of which is one of the common council. For many years a monthly supper was prepared for the members; this was succeeded by a dinner in every alternate month, and a supper frequently followed the dinner. It was generally attended by the mayor and the other resident magistrates, besides the council, and some of the freemen. The members of the club never paid any bills, nor did he know by whom they were paid, though he might have his suspicions on the subject. No invitations were given, nor were they necessary, because it was well understood that on a particular day the club would meet either to dine or to sup. He thought it very probable, that the object of this conviviality was to secure the return of Members to Parliament. The last meeting was about three or four years before the Reform Act was passed.

The caution of this officer was not preserved by those who followed.

An alderman and magistrate, who had for many years been a member, said, that he did not attend the feast by invitation, but as a matter of right. He had not himself contributed anything towards it, nor did he know who provided the funds; in fact, he had never inquired whether the landlord was paid at all, nor was he able to say whether the dinners he ate, as a matter of right, were paid for to this day; but his belief was, that they had been paid for by the Members returned for the borough: he always voted for those Members. The object of the club dinners was to support right principles, to and preserve harmony and unanimity among the freemen. The freemen admitted were unanimous in their votes at the elections—they had always supported the Rutland interest.

Another alderman spoke with great satisfaction of the convivialty of the club meetings, which were provided, he said, with excellent dinners, excellent wines, and plenty of both; a supper followed the dinner, for he always supped where he dined. The number of guests was usually from 30 to 40, but he had met as many as 60 when an election was very near. If freemen of the right sort were proposed, they were invariably elected, without any respect of persons. The club, he said, had never been disturbed by anything so disgusting as the production of a bill; for himself he neither knew nor cared who paid the bills; but the landlord must be a great fool, if he was not well paid. He thought it was not improbable, that if he had voted against the Rutland interest, he might have received a hint, that his company at the club dinners could be dispensed with, but "they were sure of their men." In conclusion, he asserted the independence of his vote, and expressed his unfeigned sorrow that the feasts had been given up. This also is the evidence of a magistrate.

A single individual was found to look upon this periodical feasting in the light of an election bribe. He is neither a magistrate nor a member of the council, but simply a freeman of the borough. Soon after his admission to the freedom, he was elected a member of the club. A written communication from the landlord of the Eagle gave him notice of the first club meeting, and he attended the dinner, where he met all the town magistrates who were in the pcororation. The next morning he called to pay for his dinuer, expecting from the nature of the entertainment that his share of the expense would be a sovereign, or five-and-twenty shillings, when he was told, to his surprise, that he had nothing to pay: upon which he

CAMBRIDGE.

he immediately withdrew from the club, feeling, he says, that if he had nothing to pay, he was not feasted for nothing; and that his vote could not be his own, while he continued a member of the Rutland Club.

The landlord of the Eagle, who provided the feast, kept away during our investigation.

Promotion of the Mortlocks, and other Members of the Corporation.

During the long period when the Rutland Club was flourishing in full vigour, the family of the Mortlocks possessed the means of securing such a preponderant influence in the corporation, as to confine the enjoyment of the highest civic dignity to themselves, their family and friends: the Duke of Rutland was, during the far greater portion of this time, a supporter of Administration. Many members of the Mortlock family have enjoyed, and some are still enjoying offices of considerable importance and emolument under Government. Mr. Mortlock the elder, was receiver of the salt duties, and afterwards receiver-general of the county; his son, Alderman Sir John Mortlock is now a commissioner of excise; another son, Alderman William Mortlock, is distributor of stamps at Cambridge; and another son, was for some years receiver-general of the Post-office. Nor was the patronage of the high steward exercised only in favour of this family: other members of the corporation and their families have enjoyed its influence in various ways, and to a great extent.

Rejection of applications for Freedom.

Great care and vigilance appear to have been exercised in excluding from admission to freedom persons who made themselves obnoxious by the profession of anti-Rutland politics. It appeared by the evidence of a very respectable inhabitant of the borough, that in the year 1810, he made an application to the late Mr. Mortlock, then being mayor, to be admitted a freeman by purchase, and offered to pay a fine of 50 *l.* Mr. Mortlock asked him if he would, in the event of his being admitted, support the interest of the Duke of Rutland in the corporation. He replied, that he would not engage to do so, but that he had no political views in making the application. The applicant and one of the sons of Mr. Mortlock had married two sisters; and Mr. Mortlock stated his wish on that account to assist him; and then asked him if he would undertake not to do anything against the Duke's interest. The applicant declined to give any pledge, and said that he must be admitted a free burgess or not at all. He was not admitted.

On another occasion, a barrister, now deceased, applied to be admitted to his freedom as the eldest son of a freeman. The claim was rejected, on the ground of his not being the first-born son. Sir John Mortlock, in speaking on this subject, gave as a reason for refusing this gentleman's admittance, that he had sounded him respecting his support to the duke, and that he had said he would make no conditions.

Another instance of rejection on similar grounds was given by one of the principal merchants in the borough. The mayor has the privilege of creating an honorary freeman during his mayoralty; and the mayor for the year (one of the Mortlock party) had promised to exercise his privilege in favour of the gentleman in question. When he came into office, on being reminded of his promise, he said that to keep it would be his ruin; and the applicant, knowing the mayor's dependence on Mr. Mortlock, pressed it no further. The merchant is an opponent of the Rutland interest.

The nephew of an old and respectable inhabitant was rejected, because he was not born within the borough; while the son of another freeman, born at Bagshot, was admitted. The latter was a supporter of the Rutland interest; the former an opponent.

One apprentice was rejected because he was of age when he was bound; another because he did not board and lodge with his master; while a third was admitted who had been bound by two separate indentures executed on the same day, and whose service was clearly colourable; but his father was connected with a newspaper, which supported the Rutland interest.

The admission of non-residents has been made with the same view.

Exclusion from Corporate Offices.

The same influence, which has regulated the admission of freemen, has extended to the subsequent election of officers from those who were admitted. Birth and servitude sometimes presented claims which could not be passed over; but if an opponent of the Rutland interest successfully enforced his claims to the franchise, he was afterwards carefully excluded from every municipal office. The deputy town clerk, an old servant of the corporation, cannot recollect a single instance of deviation from this rule of exclusion; and as it was admitted by a magistrate, that he would probably have been dismissed from the Rutland feast if he had voted against the Rutland interest, so it was admitted by a corporate officer that a burgess would probably be removed from office if he voted in opposition to the ruling body.

Character of the Municipal Elections.

The mode in which the elections of the chief magistrate and other annual officers were conducted on the charter day, is thus described by a respectable tradesman of the town, who for the last 10 or 12 years had been in the habit of attending them. The non-resident freemen, he says, in the interest of the Duke of Rutland, used to come in post-chaises, and were brought up "just as gentlemen take a pack of hounds to cover;" if wanted, they were sent for to the hall. He had conversed with some of them, and remonstrated on the impropriety of their interference, when they admitted to him that they were ashamed of it themselves, but they were tenants and tradesmen of the duke, and had no choice. It was from these non-residents that he, an inhabitant and freeman of the borough, first learnt who was to be the mayor this year. Among those who came were, a clergyman of the established church and a country gentleman, both active partisans, and the latter now holding a place

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in the Royal household, which is supposed to have been obtained by the ducal influence. This non-resident elector is also a tenant of the corporation, and is the same individual who obtained for 5 *l.* 5 *s.* a private lease of land within the town, for which a resident burgess now says that he would then have given 40 *l.*

A necessary consequence of the political exclusiveness which prevails at these municipal elections, is the party character given to the magistracy and police of the town. The acting magistrates are all of the same party. The two heads of the police, the high and chief constables, are both members of the Rutland Club; and the eight serjeants at mace, who are all petty constables, have been appointed by the same rule; and like the rest of the corporate officers, would be removed if they ventured to vote in opposition. Even when riots are apprehended, from the excitement of party feeling at elections, and it becomes necessary for the peace of the town to swear in special constables, there is not even a temporary relaxation of this exclusive party spirit. The majority of persons selected on these occasions have invariably been partisans of the Rutland interest.

Character of the Magistracy and Police.

The working of the system established under this influence, has been traced in the detail of the Report. There we have shown the neglect of municipal duty, and the abuse of municipal power, in a great variety of forms.

General Character of the Corporation as a Municipal Body.

An inefficient police, the subject of complaint as well by members of the University as by the town; magistrates ruling the borough without the respect of the inhabitants, and with whom their colleagues in the commission of the peace decline to act; the administration of justice suffered to continue for years a source of profit to an alderman, without any attempt on the part of the ruling body to maintain the respectability of the magisterial office by an exercise of their controlling power; charity funds appropriated to private purposes, and no accounts rendered; corporate property a spoil among the corporators.

With a considerable revenue saved from this spoil, the whole sum subscribed by the corporation for public purposes in a period of 14 years, does not exceed 480 *l.* 0 *s.* 11 *d.*; which is very little more than the cost of corporation dinners in a single year, independent of the Rutland feasts, and not one-fifteenth of the sum expended in litigation.

When the University contributed 2,000 *l.* towards the drainage of the town, the corporation gave nothing; and when a private individual proposed to subscribe 100 *l.* for the erection of a new bridge, in the place of one which they were themselves bound to repair, they refused to join in the subscription. Their bridges have not only been a constant subject of dissatisfaction and complaint, but of many indictments, and as many convictions; and the neglect of the town commons has even surpassed that of the bridges. At the very time they were taking tolls for the standing of horses at the fairs, the horses have been standing up to their knees in mud, because they would neither drain these commons themselves, nor suffer others to do it; and even in the view and front of the mayor's house they have been kept in such an unwholesome state, that it was observed, "if his worship were not of a very strong constitution, he must have had the cholera long since."

In the midst of this neglect of all liabilities attaching to the corporation property, the aldermen are taxing the inhabitants to pay for their own sessions' dinners; and it is not a matter of surprise that the tax-payers are discontented both with the object for which it is levied and with those by whom it is imposed. The little control they can exercise over those to whose rule and taxation they are subjected, is forcibly shown in two statistical facts with which we close our Report on the existing state of the corporation.

Out of a population of more than 20,000 inhabitants, only 118 are admitted to the freedom; and of the rateable property in the borough, valued at 25,490 *l.*, only 2,110 *l.* 6 *s.* 6 *d.* belongs to the freemen, which is not a twelfth of the whole.

State and Prospects of the Town.

The number of statute acres of land within the borough of Cambridge is 3,196.

The population in 1801 was - 10,087 } Not including the members of the University.
1811 - - 11,108 }
1821 - - 14,142 } Including them.
1831 - - 20,917 }

In the last census, 10,143 were males, 10,774 females.

Occupations:

The number of families employed in agriculture, was - - - - -	253
— — — trade and manufactures - - -	2,232
— — not comprised in either class - - - - -	1,837

The annual value of real property in 1815 was 31,150 *l.*; it has since increased, but the exact amount cannot be ascertained.

CAMBRIDGE.

The Assessed Taxes were:—

For Years ending 5 April,	Borough. £.	s.	d.	University. £.	s.	d.
1829 - - -	7,800	3	11½	1,955	18	7½
1830 - - -	7,834	–	10	1,868	7	7½
1831 - - -	7,750	11	3½	1,885	18	10½
1832 - - -	8,155	8	3½	—		
1833 - - -	9,208	16	9½	—		

	£.	s.	d.
The parochial assessments for years ending 25th March 1825 - -	6,825	11	–
— — — 1829 - -	8,563	6	–

The number of houses 10*l.*, and under 20*l.* rent - - - - -	675
— 20*l.*, — 40*l.* – - - - - -	529
— 40*l.*, and upwards – - - - - -	230
Total of 10*l.* and upwards -	1,434

State and Employment of the Poor.

We had little evidence before us respecting the condition of the labouring classes; it was, however, stated, that the Poor who were regularly employed were doing well, but that many were in want of employment. The poor's-rates are about 3*s.* 4*d.* in the pound on the rack-rent.

Improvements in the Corporation.

It seemed to be a very general opinion that the admission of the householders of the town to a participation in the right of electing the members of the corporation would be beneficial. Some persons approved of extending the franchise to the 10*l.* householders; some thought that sum too low, and preferred 15*l.*; others too high, and recommended 5*l.* as the amount of rent, which should entitle a householder to a vote. The mayor, town clerk, and one of the aldermen admitted that it would be for the benefit of the town, if the council were a representative body, and a qualification established for its members; there was a great diversity of opinion as to what other changes would be beneficial.

Local Acts.

There are no Local Acts affecting Cambridge except those already referred to.

Documents sent with the Report.

We send the following Documents with the Report:—

1. A Translation of the Charter, 7 Car. 1.
2. A Return of the Names, &c. of the Officers of the Corporation.
3. Gaol Return.
4. List of Constables.
5. An Account of the Property of the Corporation.
6. An Account of the Property Sold within the last 50 years.
7. The Treasurer's Account for the year ending Michaelmas 1832.
8. The Treasurer of the Town's Account for the year ending at Easter 1833.

Geo. Long.
John Buckle.

REPORT

ON

THE BOROUGH OF CASTLE RISING.

(NORFOLK.)

CONTENTS.

1. Limits of the Corporation - - - - - - - - - p. 2211
2. Corporation by prescription - - - - - - - - - p. 2211
3. Officers of the Corporation, appointment of - - - - - - p. 2211
4. Officers of the Corporation, functions of - - - - - - - p. 2211
5. Sessions - - - - - - - - - - - - - p. 2211
6. Police - - - - - - - - - - - - - - p. 2211
7. Licenses - - - - - - - - - - - - - p. 2211
8. Miscellaneous - - - - - - - - - - - p. 2211
9. State of the Borough - - - - - - - - - - p. 2211

BOROUGH OF CASTLE RISING.

1. THIS Corporation extends over the parishes of Castle Rising, Roydon, North Wootton and South Wootton. Limits of the Corporation.

2. It is a Corporation by Prescription. The recorder stated that he thought it probable that a charter might be found at the Rolls, or in some other public repository of records; but that he had never seen it, nor had he any knowledge of its existence. Corporation by prescription.

3. The Corporation consists of two Aldermen, one of whom is always Mayor, a Recorder and a Serjeant at Mace. The mayor is chosen annually by the inhabitants. He is always proposed by the recorder; and the aldermen are elected in turn. One of the aldermen is appointed by the lord of the manor of Castle Rising, and the other by the owner of about 50 acres of land, all burgage tenure, within the borough. They hold their office for life, provided they continue to reside in the borough. Officers of the Corporation, appointment of.

The recorder is appointed by the lord of the manor, and holds his office during pleasure. The present recorder is a solicitor, and his predecessors have been so for the last 50 years.

4. The mayor is sworn in at the court leet of the manor, and has the occupation, rent-free, of 12 acres of land called the Mayor's Pightle, or the Mayor's Carr; the property of the lord of the manor. This land has been for some years occupied by one of the aldermen, who pays the other, when mayor, 15 *l.* a year rent for it. The mayor receives 13 *l.* 6*s.* 8*d.* from the lord of the manor yearly. The expenses of the office are about equal to the emoluments. Officers of the Corporation, functions of.

The recorder has no salary or emoluments. The mayor, aldermen and recorder are all magistrates within the borough. They commit offenders to the county prisons for trial at the assizes or sessions.

The serjeant at mace is appointed annually by the mayor, who pays him a guinea for the year.

5. There are no Sessions for the trial of prisoners. Petty sessions are held from time to time as business occurs; generally about once a quarter. The county magistrates have a concurrent jurisdiction. Sessions.

6. Two constables are annually appointed at the court leet for each parish in the borough. Police.

7. The magistrates of the corporation license the public-houses within the borough, which are six in number. None of them belong to any member of the corporation. Licences.

8. The corporation has neither property nor patronage. There is no gaol in the borough. There is no local taxation, but the parishes all contribute to the county rate. The corporation does not even appear to be known by any distinct title; but the mayor is called Mayor of the Borough of Castle Rising. Miscellaneous.

9. Previously to the Reform Act, Castle Rising sent two Members to Parliament; but is now disfranchised. The right of voting was attached to certain burgage tenements, of which the lord of the manor possessed the greater part, and another individual a certain number. The borough was always represented by the proprietors of these estates, or their nominees. A third proprietor is owner of five burgage tenements, but has never possessed any political influence in the borough. State of the Borough.

The number of statute acres of land in three of the parishes is as follows:

Castle Rising	2,330
Roydon	820
North Wootton	2,210

I have not been able to ascertain the quantity of land in South Wootton.

The population of the four parishes stands thus in the Population Returns:

Castle Rising	1801	254
	1811	297
	1821	343
	1831	358

CASTLE RISING.

Roydon	1801	114
	1811	137
	1821	205
	1831	174
North Wootton	1801	119
	1811	153
	1821	187
	1831	179
South Wootton	1801	124
	1811	131
	1821	150
	1831	177

The following were the occupations of the families in Castle Rising in 1831:

Employed in agriculture	43
Trade and manufacturers, &c.	17
Not comprised in either of the above classes	19

I have not been able to obtain any direct account of the annual value of real property in the borough; but a person very well acquainted with the subject stated that it had decreased in value 20 per cent. since 1815. The amount at that period appears by the Population Returns to have been—

	£.
Castle Rising	1,400
Roydon	657
North Wootton	1,726
South Wootton	1,348

Assessed taxes for years ending 5th April,

	1829.			1830.			1831.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Castle Rising	89	8	6	91	7	6	89	18	6
Roydon	11	17	3	12	13	9	12	3	3
North Wootton	10	2	7	13	7	7	16	7	3
South Wootton	9	10	6	9	10	6	14	12	9

Parochial assessments for the poor in the parish of Castle Rising, for the following years,

	£.	s.	d.		£.	s.	d.
1825	257	9	2½	1829	235	3	5
1826	247	7	–½	1830	266	9	9
1827	235	17	4	1831	194	9	8
1828	214	3	8	1832	229	9	9

The total number of houses in Castle Rising is 65

£. 10. and under 20 *l.* rent	5
20. — 40 *l.*	2

The labouring population in general find employment for themselves. Occasionally a few are out of work, and the lord of the manor always employs them till they can procure work elsewhere. None of the poor are ever employed as parish paupers. The ordinary rate of wages is from 10 *s.* to 12 *s.* a week.

I send a return of the names, professions, &c. of the officers of the corporation.

Geo. Long.

REPORT

ON

THE VILL OF GREAT DUNMOW,

(ESSEX.)

CONTENTS.

	Page.
I. Limits, Extent and Population	2215
II. Incorporation of Inhabitants	2215
Charter of P. and M. A.R. 2, 3	2215
Eliz. A.R. 39	2215
III. Powers given by Charter	2215
To elect Officers	2215
To hold Market and Fairs	2215
IV. Officers	2215
Bailiff	2215
Burgesses	2215
Recorder	2215
Constables	2215
Bread-weighers	2216
V. Property	2216
VI. Statistical Summary	2216
VII. Observations	2216

VILL OF GREAT DUNMOW.

I. LIMITS, Extent and Population.

THE Vill of Great Dunmow is a part of the Duchy of Lancaster, and is supposed to be co-extensive with the parish of Great Dunmow; but that parish is divided into quarters, one of which is called the Corporation Quarter, and it is doubtful whether the corporate Limits extend beyond this division of the parish.

The whole parish contains, by admeasurement, 6,661 A. 3 R. 22 P., and according to the last census, a population of 2,462 inhabitants.

II. INCORPORATION of Inhabitants.

The Inhabitants of Dunmow were first incorporated by letters patent of Philip and Mary, made in the 2d and 3d years of their reign. These letters patent were afterwards confirmed by Queen Elizabeth, A. R. 39. Both Charters are preserved in the corporation chest.

Title of the Corporation.

The Title of the corporation is, The Bailiff and Burgesses of the Borough of Great Dunmow.

III. POWERS given by Charter:

The Powers vested in them are these:

To elect a Bailiff.

"That they and their successors, or the greater number of them, from thenceforth at all future times, yearly, on Tuesday next after the feast of Saint Michael the Archangel, in our borough of Great Dunmow aforesaid, shall and may freely and lawfully elect and nominate one of the same burgesses the most discreet and sufficient Bailiff, and into the office of bailiff of the said borough; which said burgess, so elected, shall be in the same office for one whole year thence next following, and shall bear, exercise and execute the office of bailiff of the said borough, in and by all things for the said time, if he shall so long live, and not be removed from the said office; and if, within the said year, the said burgess so elected into the office of bailiff shall die, or be any ways removed from the said office, then they shall and may, within six days after his decease, freely elect and nominate another of the same burgesses in the place of him so dying or removed, for the remainder of the same year; and he who shall be so elected into the office of bailiff of the borough, from thenceforth in all future years, after his election shall take his corporal oath before the steward of the said borough, or his deputy for the time being, in the said borough of Great Dunmow, faithfully to execute the said office in form of law.

To elect other Municipal Officers.

"And that the said bailiff for the time being, burgesses and inhabitants of the said borough of Great Dunmow, and their successors, or the greater number of them, yearly from thenceforth for ever, on the said Tuesday next after the said feast (of Saint Michael the Archangel), and so from time to time, shall and may nominate, elect, appoint and have constables, and all other necessary ministers and officers of the said borough.

To elect Burgesses.

"That the bailiff and burgesses of the said borough for the time being, and their successors, or the greater number of them, from thenceforth for ever, from time to time, as it shall seem most expedient to them, shall and may have power and authority of calling, nominating, electing and appointing all and singular men whatsoever, tenants and inhabitants within the said borough, into the office of burgesses of the said borough, as may be necessary in the government of the said borough."

To hold a Market and Fairs.

The charter also grants a weekly Market, and two annual Fairs, with court of Pie-poudre, and the incidental tolls. A payment of 10*s.* a year is reserved to the crown for the said two fairs.

IV. OFFICERS.

The Corporate Officers elected are:

A Bailiff.
Twelve Burgesses (including the Bailiff).
A Recorder.
Two Constables.
Two Bread-weighers.

Bailiff.

The Bailiff is annually chosen, not by the Inhabitants, but by the twelve Burgesses. They select one of themselves for the office, and he is sworn before the steward of the manor. He has no duty to perform; no salary to receive; no privilege to exercise. Formerly affidavits were made before him, that persons were buried in woollen only; and this is the only function of his office preserved by tradition.

The present bailiff is a hair-dresser, and the vestry clerk.

Burgesses.

The Burgesses are twelve self-elected inhabitants, holding their nominal office for life.

Bye-laws, for the regulation of the inhabitants, were formerly made by the Bailiff and Burgesses, and enforced by fines. The fines are no longer exacted, and the laws have become obsolete.

Recorder.

A Recorder is appointed to record the annual elections of the vill, in return for which he is invited to the annual feast.

The present recorder is a solicitor of the superior courts, and formerly the steward of the manor.

Constables.

The two Constables are annually appointed from the inhabitants, to execute magistrates' warrants within the vill; and two others are elected by the leet, which is unconnected with the corporation.

GREAT DUNMOW.

Bread-weighers. Two Bread-weighers are also annually appointed to inspect weights and measures; but this inspection is left to others.

The office of Leather-searcher was abolished in 1822.

Such is the present corporate body.

No Jurisdiction. There is no separate Jurisdiction; no Gaol; no Police; no Patronage.

No magistrate is resident in the place, but the county magistrates meet here once a month.

V. PROPERTY. The Corporation Property consists of:—

1st. A building in the centre of the town, now occupied as a dwelling-house and bake-house, under a tenancy at will. It appears to have been originally purchased by the bailiffs and burgesses named in the charter of Philip and Mary.

2d. Tolls levied on all persons selling cattle, corn, goods, wares or merchandize, on the market or fair days mentioned in the charter; and by all persons publishing, proclaiming or sticking up notices, and advertisements of every description.

These tolls are not regulated by any fixed scale; but the present rate of standage is three-pence per foot.

They are levied amidst the grumbling of those who frequent the markets and fair.

Revenue and Expenditure. The amount is inconsiderable, and it is blended with the rent of the building. The tenant of the one farms the other, and pays for both 20 guineas a year.

This is the whole revenue of the corporation.

It is expended, after a small deduction for repairs, in a corporation feast, to celebrate the annual election of a bailiff.

VI. STATISTICAL SUMMARY.

Statistics of the parish, principally extracted from Parliamentary Returns:

Population. 1. Population:

Year.	Numbers.	Increase.
1801	1,828	—
1811	2,015	187
1821	2,409	394
1831	2,462	53

Male population of 1831 - - - - - 1,237.

Occupations. 2. Number of families, and their occupations:

Families -	Agricultural - - - - - -	221
	Trading and manufacturing - - - -	143
	Not comprised in either of these classes -	135

Houses. 3. Number of houses in 1831 - - - - - - 481.

Property. 4. Annual value of real property in 1815 - - - - £.8,895

Local Taxation. 5. Parochial assessment for years 1825, 1829, 1832, 1833, 1834:

1825	£. 2,173	2	—
1829	2,040	7	—
1832	2,727	3	2½
1833	2,451	19	4¾
1834	1,903	1	4

This includes a contribution to the county rate.

6. Assessed Taxes, 1833–4 - - - - - 657 16 7½
Land Tax, 1833–4 - - - - - - 224 3 10

Schools. 7. No public school.

VII. OBSERVATIONS.

This was originally an incorporation of the Inhabitants, who were empowered to elect every year a bailiff and such other municipal officers as might be "necessary for the government of the vill." It is now a corporation of twelve self-constituted Burgesses, who still elect a bailiff, though he has no duty to perform; a recorder to register the bailiff's election; and inspectors of weights and measures, who decline the trouble of inspection.

Their municipal regulations have grown obsolete, and are now buried in the corporation chest.

The Inhabitants of the place continue to hold their markets under the charter, without troubling themselves about the Corporation; but the privilege of exacting Tolls from the frequenters of their market is a source of irritation and grumbling. The tolls are inconsiderable in amount, but vexatious in their nature; and the only purpose they serve is, to provide an annual feast for the bailiff and twelve burgesses, to which they invite their recorder, as a compensation for his gratuitous services in recording their unimportant proceedings.

A translation of the governing charter accompanies my Report.

John Buckle.

REPORT

ON

THE BOROUGH OF DUNWICH,

(SUFFOLK.)

CONTENTS.

	Page
I. Limits, Extent and Population	2219
II. Incorporation and Charters	2219
John	2219
14 Henry III.	2219
40 Henry III.	2219
13 Edward I.	2219
3 Edward III.	2219
2 Richard II.	2219
3 Edward IV.	2219
1 Edward VI.	2219
1 Elizabeth	2219
2 James II.	2219
Surrender of Charters	2219
Restoration by 6 William & Mary	2219
III. Corporate Body and its Constitution	2220
Title	2220
Enumeration of Officers and Freemen	2220
Elections of Officers	2220
Functions of Officers:	
Bailiff	2220
Recorder	2220
Assistant Justices	2220
Coroner	2221
Town Clerk	2221
Serjeant at Mace	2221
Aldermen	2221
Common Councilmen	2221
Chamberlains	2221
Water Bailiff	2222
Ale Founders	2222
Fen Reeve	2222
Admission and Privileges of Freemen	2222
Present Distribution of the Franchise	2222
IV. Jurisdiction, Extent	2223
Magistrates	2223
Courts	2223
Sessions	2223
Civil	2223
Admiralty	2223
Police	2223
Gaol	2223
Licenses	2223
Poor	2223
V. Property	2223
Lands	2223
Houses	2224
Sea Beach and Tolls on Coals	2224
Wreck, Fines and Fees	2224
Income	2224
Charges	2224
Debt	2224
Expenditure	2225
Audit	2225
VI. Patronage	2225
VII. State of the Town	2225
VIII. Summary and Observations	2226
IX. Documents	2226

BOROUGH OF DUNWICH.

I. LIMITS, Extent and Population.

THE Borough of Dunwich is now considered to be co-extensive with the parish of All Saints, and contains an area of 1,340 statute acres, with a population of 232 inhabitants.

It formerly extended over several other parishes, which have gradually disappeared by the inroads of the sea.

II. INCORPORATION and CHARTERS: John.

The earliest Charter appears to have been granted by King John.

This charter of John was confirmed by Hen. III. in the 14th year of his reign, with many additional privileges. He granted to "the good men and burgesses of Dunwich," a free burgage with soc and sac, &c., and a merchant guild, with a hanse and other customs. 14 Hen. 3, 7th May.

They were allowed to distrain for their debts within the borough, and they were neither to plead, nor be summoned to any plea, beyond the liberties.

They were not to make duel, though appealed, unless for the death of a stranger; but if appealed for felony they might clear themselves by the oath of four and twenty freemen, their neighbours and peers.

Leave was given them to buy and sell, with an exemption from customs throughout the kingdom.

They were empowered to appoint their own heirs, and to have the custody of their sons and daughters, with the privilege of marrying their daughters without the license of any one; but none were to be married without their own consent, either in the lifetime of their fathers or afterwards. Widows in their dowries were left to their own will.

The "nativi" of the borough, after dwelling and holding land therein, and being in the guild and hanse, scottant and lottant with the burgesses, for a year and a day, were no longer to be re-demanded by their lords, but to remain free for ever.

These privileges were to be enjoyed by the burgesses, with all other liberties and free customs, and good usages which they had before been accustomed to have in their borough, or which any of the cities or boroughs of the Crown were then enjoying, whether in England, or in any other of the King's dominions.

A second charter of Hen. III. dated 20th April, in the 40th year of his reign, granted the return of all the King's writs touching the town and its liberties; and the bailiffs were made responsible for the burgesses at the exchequer. 40 Hen. 3.

The bailiffs and burgesses were empowered to elect coroners, who were to make attachments of the pleas of the Crown within their liberties, and to answer before the King's Justices in Eyre. Merchants coming to the port were privileged to sell their own merchandize, so that no brokers in the town might be a hindrance to buyers and sellers.

These grants were confirmed by inspeximus charters of—

Edward I. dated 28 June, in the 13th year of his reign. 13 Edw. 1.

Edward III. dated 28 May, in the 3d year of his reign. 3 Edw. 3.

Richard II. dated 28 January, in the 2d year of his reign. 2 Ric. 2.

In the time of Edward IV., the town had already become impoverished, and considerably diminished, by the force and rage of the sea; and in the third year of this reign, a new charter was granted, conferring additional municipal privileges. 3 Edw. 4.

An exclusive jurisdiction was established in the borough; and the bailiffs, with "one skilled in the laws," and four of the most discreet burgesses, were appointed justices of the peace, with power to inquire, by the oaths of good and lawful men of the town, concerning all felonies committed within the precincts.

A court of admiralty was also established, to be held before one of the bailiffs; and all wrecks found within the liberties were granted to the burgesses, with other incidents to the office of admiral.

The bailiffs were at the same time appointed clerks of the market.

All these grants were confirmed by inspeximus charters of—

Edward VI., dated 23 May, in the 1st year of his reign. 1 Edw. 6.

Elizabeth, dated 23 September, in the 1st year of her reign. 1 Eliz.

James II., dated 5 May, in the 2d year of his reign. 2 James 2.

This is one of the boroughs that surrendered their corporate rights to Charles II. The date of the surrender is the 21st May, in the 36th year of his reign. Surrender of Charters.

The charters were restored by William and Mary, on the 23d of April, in the sixth year of their reign. Restoration 6 Will. & Mary.

The charter of Restoration is an inspeximus and confirmation of all those which have been enumerated. It recites that several of the inhabitants, under pretext of a restitution by letters

DUNWICH.

letters patent of James II., had taken upon themselves to be a body corporate under the title of "The bailiffs, aldermen and burgesses of the borough;" and had made divers leases of the property belonging to "the bailiffs, goodmen and burgesses." The existing leases were confirmed to the tenants; and "the bailiffs, goodmen and burgesses" of the town were again invested with all the privileges they had enjoyed before "the pretended restitution of James."

Although this is considered the governing charter, the distinction of aldermen and burgesses, which is only made in the letters patent of James, is still preserved in the borough.

Not one of these charters are among the muniments of the corporation. They are supposed to be in the Tower of London, and it is probable that many others are also there.

The inspeximus of William and Mary embodies those I have enumerated, and it is from a copy of this inspeximus that I have abstracted the summary given.

III. CORPORATE BODY and its CONSTITUTION.

Title.

The title of the corporation is, "The bailiffs, burgesses and commonalty of the borough and corporation of Dunwich, in the county of Suffolk."

1. Enumeration of Officers and Freemen.

The officers named in the governing charter are—

Two Bailiffs.
A Recorder.
Four Assistant Justices.
A Coroner.
A Town Clerk.
A Serjeant at Mace.

The officers not named in the charter are—

Ten Aldermen.
Twelve Common Councilmen.
Two Chamberlains.
A Water Bailiff.
A Fen Reeve.
An Ale Founder.

The present number of burgesses or freemen, including the officers, is 28; and of this number, 19 are non-resident.

2. Election of Officers.

All the officers, with the exception of the serjeant at mace, are elected by the freemen. The serjeant is elected by the bailiffs.

The bailiffs, recorder, and all other officers, with the exception of the aldermen and common councilmen, are annually elected. The aldermen and common councilmen are elected for life.

3. Functions and Privileges of Officers: Bailiffs.

All the burgesses are eligible to the offices named in the charter; but in practice, the aldermen only are considered eligible to be bailiffs, or assistant justices, and the common councilmen to be aldermen.

The Bailiffs are justices of the peace, judges of the admiralty court, and clerks of the market.

The following oath is administered to them on entering upon their office:

"YOU shall truly and faithfully exercise the office of the Bailiff of this town and borough for the year following, to the honour of God and of our Sovereign Lord the King's Majesty, and for the profit of this town and borough of Dunwich; and shall administer true justice as well unto the poor as unto the rich. And you shall maintain and justify, as much as in you lie, all the good liberties, good customs, and constitutions within this town and borough, and also all such matters as shall hang and depend before you in this court; you shall therein give indifferent judgment, not regarding more the rich man's than the poor man's cause; and all manner of process that shall be directed to you, you shall execute your office therein, and discharge the town and borough thereof. You shall maintain good rules within this town, and see offenders punished, and shall make a true account of all such sums of money, and all other profits, that shall come into your hands, or escheats, weyfes, fines, customs and all other profits whatsoever, by reason of the said office, and shall do all other things belonging unto the said office."

The bailiffs are also, by virtue of their office, Commissioners under an Act for the drainage of the Minsmeer Level.

The only privilege they enjoy is that of stocking the common with an additional head of cattle.

The present bailiffs are, Colonel Barne, of Latterly-hall, aged 74; and Francis Robinson, esquire, a gentleman residing in the borough, aged 81.

The former is occasionally resident, and is considered one of the Patrons of the borough. The latter has for many years filled several offices in the adjoining hundred under local Acts of Parliament.

Recorder.

The Recorder is a magistrate of the borough, and generally attends the sessions once a year.

The present recorder is James Mure, esquire, who resides in London.

Assistant Justices.

The four Assistant Justices named in the charter are no longer elected; but the two bailiffs of the preceding year continue to act as magistrates for a second year.

They

They are sometimes resident and sometimes not; one of them is so at the present time. He is a farmer, aged 84, whose property in the borough is assessed at 11*l.* 10*s.* The other is Sir Charles Blois, Baronet, aged 74, residing at Yoxford.

Coroner.

The Coroner was appointed by the charter to make attachment of the pleas of the Crown within the liberties; he still holds inquests in the borough, and receives the statutable fees.

The present coroner is an alderman, aged 79, who resides in the borough, but is not assessed for any property; he is also the water bailiff.

Town Clerk.

The Town Clerk is the clerk of the peace, clerk to the magistrates, and registrar of the admiralty court.

Other duties of his office are stated in the oath which he takes:

"YOU shall truly and diligently execute the office of Town Clerk of this town and borough; you shall be obedient to Mr. Bailiffs for the time being; the secrets and councils of this town you shall not disclose, and all good ordinances and constitutions made for the profit and good government of this town you shall uphold and maintain; and you shall record and set down in writing in the assembly-book of this town, according to an ordinance therefore made, all the assemblies or meetings which you shall be called or warned unto, and all such matters as there are concluded and agreed upon you shall then note therein; and also all accounts of Mr. Bailiffs, the chamberlains and the officers which you shall be required by Mr. Bailiffs to do, you shall also record therein; and if Mr. Bailiffs do require you to write any letters or other things which pertain to the security of Mr. Bailiffs' office, or the benefit and profit of the town, you shall do it to the utmost of your power, and keep notes thereof of what you have done, and you shall do all other things which belong to a town clerk."

His salary is 20*l.* per annum.

The present town clerk is an attorney of the superior courts of Westminster, and resident at Southwold.

Serjeant-at-Mace.

The Serjeant-at-Mace is the official servant of the bailiffs; executes the warrants of the magistrates; and is the crier of the courts.

He receives a trifling fee on the admission of freemen.

This office is held by a common councilman.

Aldermen.

The Aldermen have no separate functions, nor any official existence recognized by the charters. In practice, however, they furnish the Magistracy of the borough.

They are privileged to stock the common with three head of cattle.

Seven of their number are resident, and four out of the seven are assessed for property in the town. The others were formerly rated for small tenements, but since the Reform Act was passed, they have relinquished these nominal dwellings.

The only residents are those who hold other corporate offices, and these are—

The bailiffs.
One of the assistant magistrates.
The coroner.
The chamberlain, who is a licensed publican, and a tenant of the bailiff, and patron Col. Barne.

The non-resident aldermen are:—

Sir Charles Blois, baronet, residing at Yoxford.
Rev. H. Unthoff, a clergyman of Huntingfield.
Capt. John Robinson, in the East India Company's service.
A farmer residing at Wingfield.
Henry Barne Sawbridge, esquire, whose residence is unknown to the Town Clerk.

Common Councilmen.

The Common Councilmen, like the aldermen, have no separate functions.

The only resident is the Serjeant-at-mace, whose assessment in the borough is 1*l.* 10*s.*

The non-residents are:—

The Right hon. Joshua Lord Huntingfield, of Harmingham-hall.
The Hon. Thomson Vanneck, of Cookly.
Rev. Thomas Barne, a clergyman at Crayford.
Two merchants, a corn-factor, and an officer in the customs of London.
William Sawbridge, esq., a gentleman whose residence is unknown to the Town Clerk.

Two of this number are still assessed in the borough at 2*l.* each; the others have given up the small tenements for which they were formerly rated.

Chamberlains.

The Chamberlains are the treasurers, stewards and accountants of the corporation; and their accounts are annually audited by the freemen.

The following oath is administered to them on entering upon their office:—

"YOU shall truly and faithfully exercise and use the office of Chamberlains of this town for the year next ensuing, and you shall be obedient to Mr. Bailiffs, and you shall

DUNWICH.

shall maintain all the good liberties, customs and constitutions of this town to the utmost of your power; the secrets and counsels of this town you shall not disclose, and all such sum or sums of money as shall come into your hands, and all other fines, issues and amerciaments, and all other profits and commodities whatsoever that you shall be charged with, you shall thereof make a true account, and render and pay the arrearages of your account to the use of this town, if any be; and you shall substantially see to the reparations and amending of all such things as are to be repaired and amended within this town, for the maintaining of the common wealth of the said town, and you shall do all other things which do belong to your said office."

This office has been held for 16 years, by an Alderman. His colleague is a Common Councilman.

Water Bailiff. The Water Bailiff is appointed to execute the process of the Admiralty Court, and to have the custody of wrecks, for which he receives some trifling fees. Since the loss of the port the office is almost nominal.

Ale Founders. The Ale Founders are appointed to examine the weights and measures used in the borough.

Fen Reeve. The Fen Reeve superintends the stocking of the marshes, and his emoluments are from 5*l.* to 6*l.* a year.

Freedom. The Freedom of the Borough is acquired either by birth or by election.

Birth. The eldest son of a freeman, if born within the borough, is entitled to the franchise.

Fee on Admission. It is also conferred by the votes of the freemen assembled at their annual meeting on the charter day; and a majority of those present must concur in the election.

Fee on Admission. The only fee paid on admission is paid to the serjeants-at-mace, and varies from 1*s.* to 2*s.*

Functions and Privileges. The freemen are the ruling body of the corporation. They elect the magistrates and other officers; confer the franchise; control the management of the property, and audit the annual accounts. (*See* "Property.")

It is their duty to attend all corporate meetings to which they are summoned; to serve all municipal offices; to assist the bailiffs in the execution of their functions; and to contribute to the corporate funds according to their substance and ability.

The following oath is administered on their admission:

YOU do swear to bear faithful and true allegiance to our Sovereign Lord the King, and his successors. You shall be obedient to the bailiffs of this town for the time being, and to their successors; the secrets and counsels of this town you shall not betray nor disclose; and all good orders, statutes, rules and customs made, ordained and used, you shall to the utmost of your power maintain and keep; and if you shall be warned or summoned to appear at any assembly or meeting for this town, then you shall diligently give your attendance; and if you shall be assessed to lend any sum or sums of money for the profit and maintenance of this town, that then you shall willingly do the same, according to the quality of your substance; and you shall do all other things that belong to a freeman of this corporation to do."

Every burgess is entitled to two feeds on the marshes and heath of the corporation, paying from 2*s.* 6*d.* to 5*s.* for each head of stock. (*See* "Property.")

Before the Reform Act, they returned the two Members for the borough. For 30 years previous to the Act, the greatest number polled was 25.

Present Distribution of the Franchise. The present body of freemen have, with a few exceptions, been elected into the corporation; but the right of voting vested in the whole body, has in practice been so far abandoned, that Lord Huntingfield, a common councilman, has been allowed to nominate eight; and Colonel Barne, one of the aldermen, to nominate another eight; so that 16 of the freemen are nominees of Lord Huntingfield and Colonel Barne. The whole number has generally been limited to 32, by which means the two patrons and their nominees have been allowed an equal share of power with the rest of the burgesses, but prevented from gaining an ascendancy. The origin of this apportionment of the franchise is referred to the "influence of property." Any more specific information was declined. It was an influence which had regulated the past parliamentary elections of the borough, and whatever related to those elections, or to bargaining about the votes of freemen, was considered to be confidential and unfit for publicity. Upon all other subjects information was freely given; upon this alone it was denied. The means therefore by which this transfer of municipal power was obtained and secured are left open to conjecture, and I can only report them to be secrets of the corporation.

The freemen admitted under this arrangement are, with very few exceptions, strangers to the borough. Of those not holding office, only two are resident; one is a farmer, whose property is assessed at 7*l.* 10*s.*; the other is a labourer not rated.

The

The non-residents are,—

The recorder.
Captain Frederick Barne.
Rev. E. Norton, a clergyman, residing at Southwold.
Two country gentlemen.
A farmer of Westleton.
A broker, a coachman, and an officer in the Customs of London.

Until the Reform Act deprived them of their elective privileges, they were all rated for rooms or other small tenements in the borough. This was considered a necessary qualification; it made them freemen inhabitants. Some of them continue to be so; but the whole of their present assessments does not exceed 13 *l.*

It has long been a custom of the borough to celebrate the election of municipal officers, by an annual dinner given to the freemen. This dinner had for many years been provided by one of the aldermen, at the expense of the representatives, who were the patrons, or their nominees. In the first year of the Reform Act, the dinner fund disappeared; and the burgesses are now left to pay for their own dinners. Under these circumstances they have had recourse to the corporate fund; and in the account of last year appears for the first time a charge for this annual feast. (*See* "Expenditure," *post.*)

The male population of the borough, according to the last census, did not exceed 120; and the resident freemen form not quite 1-13th of this small population.

IV. JURISDICTION.

The borough Jurisdiction is exclusive.

Magistrates.

The Magistrates appointed by the charter are, the bailiffs, the recorder, and four of the burgesses, chosen by the whole body. In practice the two bailiffs of the preceding year supply the place of the four burgesses. Two magistrates are resident.

Courts.

The borough Courts are—A Court of Sessions.
A Civil Court.
A Court of Admiralty.

1. Sessions.

The Sessions are held once a year in the month of October. One of the bailiffs is always present, and generally the recorder, with one of the assistant justices. They are empowered to try all felonies committed within the borough; but it is many years since a felon has been tried, and there is only one instance of misdemeanor within the last five years. Since 1829 no prisoner has been committed to the county gaol for trial at the assizes.

2. Civil Court.

A Civil Court was formerly held before the bailiffs, but has long been obsolete.

3. Admiralty Court.

The Admiralty Court, granted by the charter of Edward IV. is still occasionally held by the bailiffs; and upon these occasions the expense of bringing a proctor from Yarmouth is found to bear hard upon the parties interested. The limits of the jurisdiction have been a subject of dispute with the corporation of Southwold, and lately of expensive litigation. (*See* "Debts.")

Police.

The Police consists of the serjeant-at-mace and two constables, who are annually appointed by the magistrates at sessions.

Gaol.

There is no borough Gaol, and some inconvenience has been felt from the want of one.

Licenses.

A single Public-house is licensed by the borough magistrates. It is the property of the bailiff Colonel Barne, and is tenanted by one of the Aldermen.

Poor.

The corporation have no concern with the management of the Poor; but a privilege which they have allowed on their heath has attracted many paupers to the borough. (*See* "Property.") Their increased numbers have recently led to an application by one of the bailiffs, for their admission into the workhouse of the adjoining hundred of Blything, which is incorporated by an Act of Parliament, but the application was rejected by the directors, on the ground that their Act of Incorporation would give no control over the Dunwich paupers if they were admitted.

V. PROPERTY.

Lands.

The Corporation are Lords of the Soil of the Borough. Their Revenue, arising principally from land, is about 150 *l.* a year.

The Land is partly arable, but principally marsh and heath. The arable land is as follows:

45 A. 0 R. 23 P. situate in the borough, with a house, barn and outbuildings, let for 41 *l.* 2 *s.* a year. It is rated at 28 *l.* 10 *s.*

23 A. 2 R. 18 P. also in the borough, without any buildings, and let for 23 *l.* 12 *s.* a year. The tenant is one of the bailiffs, and the property is rated at 17 *l.*

Carlton Estate.

47 A. 0 R. 0 P. with a farm and outbuildings in Carlton, of which five-ninths are claimed by the corporation. The rent paid for the whole has hitherto been 75 *l.* a year, subject to some deductions, and the portion received by the corporation about 34 *l.* a year. The rent is now reduced to 65 *l.*

This estate has always been treated by the corporation as their own property. They have no documents to show how or when it was acquired, nor is there any evidence in their books of a specific appropriation of the proceeds. It appears, however, that the poor of Dunwich are entitled to a portion at least of these proceeds, which are retained by the corporation. In the 23d Report of the Charity Commissioners, they state that "however well founded the title of the corporation may be to a portion of the estate, they are, at all events, liable, under the Will and instruments above mentioned, to pay the annuity of 3 *l.* for the

DUNWICH.

the poor of Dunwich, and that that sum should be distributed among, or otherwise applied for, the benefit of poor persons, by the bailiffs and some of the principal inhabitants."

This annuity still remains unpaid. The terms upon which the poor are allowed to take fuel from the corporation heath is considered by the bailiffs to be more than an equivalent for the loss of this annuity.

Marshes.

The Marshes, 114 A. 3 R. in extent, are used for depasturing cattle. The proceeds during the last year were 37 *l.* 16 *s.* 6 *d.* and on an average of three years 45 *l.* a year.

Every freeman has a right of feed upon this land, and the bailiffs, with some other of the officers, have additional privileges, which have been already stated.

Heath.

A Corporation Heath, extending over nearly 300 acres, supplies fuel to the poor, for which they pay a small annual sum, varying from 1 *s.* to 2 *s.* 6 *d.* and amounting only to 2 *l.* or 3 *l.* a year. The sea is perpetually gaining upon this land, and within the last six years abou 20 acres have been lost.

Houses.

Tenements in the town belonging to the Corporation, and occupied by the commissioners of customs and the overseers of the poor, are let for 10 *l.* 15 *s.* a year.

Sea Beach, and Toll on Coals.

About six miles of Sea Beach are claimed by the corporation, as lords of the soil, and they have lately levied a Toll of 3 *d.* per chaldron on all Coals landed there. This toll is claimed under their charter; the amount has not yet appeared in the chamberlain's account.

Wreck, Fines, and Fees.

The small sums received for Wreck, Fines and Fees, to which they are entitled, will be seen in the following Summary of the Chamberlain's Receipts for the last three years:—

Income.

SUMMARY OF RECEIPTS.	1831. £. s. d.	1832. £. s. d.	1833. £. s. d.
Balance due	- - -	- - -	89 8 5¼
Rent of Lands in the Borough	64 14 –	64 14 –	64 14 –
——— at Carlton	34 8 1¼	34 6 –¼	34 13 4
——— Houses, &c.	10 15 –	10 15 –	10 15 –
Proceeds of Marshes	38 19 6	58 18 6	37 16 6
——— Heath	2 9 6	2 11 –	3 4 –
Wreck sold	2 1 9	3 15 8¼	—
Fines	1 – –	– 6 6	—
Fees of Admiralty	- - -	- - -	– 12 6
Poundage of Stock	– 4 –	– 2 6	2 1 –
Sales of Wood, &c.	87 1 3	2 17 9	2 6 –
Warehousing Goods	- - -	22 – –	—
Donations	- - -	30 – –	10 – –
Loans	1,000 – –	—	—
TOTAL £.	1,241 13 1¼	230 7 –¼	255 10 9¼

The Donations were made by the two present bailiffs; the first in aid of the law expenses incurred by the suit against Southwold; the second in aid of the dinner fund previously mentioned.

PermanentCharges.

The only permanent annual Charge on this income is that arising out of the Carlton estate already described.

Debt.

But the property is at present charged with two Debts, one of 1,000 *l.* secured on the land; and the other of 200 *l.* without security. The former originated in a dispute between the two corporations of Southwold and Dunwich, about a puncheon of Scotch whiskey. The whiskey had been removed by the water-bailiff of Southwold from the Dunwich beach, upon which the corporation brought an action of trespass. They succeeded in establishing their right to the puncheon of whiskey, and incurred a debt of 1,000 *l.* for the payment of costs.

The following account of the action appears in the corporation books:—

	£. s. d.
Dunwich Corporation } Law Expenses attending this action, for *against* Sterrey. } and on account of the water-bailiff of Southwold having, by order of the bailiff of that place, taken from off the beach in Dunwich, one puncheon of Scotch whiskey, which was tried at Bury Assizes, 6th August 1829, and damages given in favour of Dunwich, with a point reserved, afterwards decided at Westminster, also in favour of Dunwich, that the invasion of the Southwold officers was illegal - - - - - - - - - - - -	864 5 6
Ditto, ditto, for proceeding against James Sterrey, water-bailiff of Southwold, for damages given by the Court, and his arrest and imprisonment for default of payment - - - -	50 8 3
£.	914 13 9

A further

A further sum was afterwards paid, making the whole amount of costs 1,001 *l.* 18 *s.* 4 *d.*

The second debt of 200 *l.* was incurred in building a farmhouse.

This latter sum was borrowed from the hospital fund at two and a half per cent. interest, without security; the former was borrowed from members of the corporation, at four and a half per cent. with a mortgage security.

The ordinary Expenditure is shown in the following Abstract of the Chamberlain's Disbursements for the last three years:— Expenditure.

SUMMARY OF DISBURSEMENTS.	1831. £. s. d.	1832. £. s. d.	1833. £. s. d.
Balance to Chamberlain	195 11 9	79 13 8½	—
Interest on Debt	5 — —	5 — —	40 12 6
Repairs and Works	107 18 —½	29 15 —½	134 2 8
Rates, Parish	4 2 —	5 2 —	9 — —
—— Draining, for six years' Arrears	— — —	— — —	26 13 4
Fen Reeves	4 4 —	— — —	9 4 —
Tavern Expenses	4 11 —	10 5 4	30 4 10
Sundries	— — —	11 2 6	2 13 10
Law Expenses	1,000 — —	— — —	5 12 —
TOTAL £.	1,321 6 9½	140 18 6½	258 3 2

The law expenses have already been explained. The greater part of the sum expended in 1833 for repairs and works was the cost of erecting flood-gates for the protection of the marshes against the sea.

The extraordinary Expenditure of the last 30 years is abstracted in the following summary:

	£. s. d.
1804: Opening a creek to convey the water from the marsh, which was filled with beach piling, and securing its sides	132 4 —
1808: Wall work against the sea, piles, rails, &c.	253 7 1
1810: Building two tenements	264 9 3
1817: Pound and other work	211 18 1
1820: Breach of wall beat down by the sea	214 1 2
1825: Building farm-house, stables, &c.	669 18 1½
1826: Subscription to church	50 — —
1827: Sluice rate, &c.	119 15 —
1829: Ditto	73 13 11
1830: Ditto	66 9 3
1831: Law Expenses, Dunwich *v.* Southwold	1,001 18 4
1832: Floodgates, &c. to prevent the sea water flowing up the Creek, and flooding the level of marshes	106 9 —

The annual audit by the freemen has already been mentioned. A copy of the last audited account accompanies my report. Audit.

VI. PATRONAGE.

The master of the hospital is appointed by the corporation, jointly with the principal inhabitants. The appointment is annual, but the present master has for many years been re-appointed. (*See* 23d Rep. of Charity Commissioners, p. 519.)

This is the only corporate patronage.

VII. STATE OF THE TOWN.

The greater part of the land of this borough is either heath of little value, or sea beach. Its extent, which is stated in the Population Return of 1831 to be 3,240 English statute acres, is, according to the corporate authorities, only 1,340 acres; one quarter of which is heath land, and more than another quarter is sea beach. It has already been observed, that within the last six years 20 acres have been lost by the inroads of the sea.

Population.

The Population in—

1801	was	184		
1811	—	208		
1821	—	200		
1831	—	232	-	males 120.

Between 1811 therefore and 1821, the population diminished in the ratio .04; and in the next ten years it increased in the ratio 16.

Occupations.

There are 33 families employed in agriculture, three in trade, and 19 are not comprised in either class.

Property.

The annual value of Real Property in 1815 was estimated at 522 *l.*

The assessed value of rateable property at the present time is 475 *l.*, which is about two-thirds of the real value.

Houses.

Only two Houses in the borough are valued at 10 *l.* and upwards.

DUNWICH.
Rates and Taxes.

The parochial Assessments in—		£.	s.	d.
1825	were	122	15	–
1829	—	81	19	–

The Land and Assessed Taxes in—		£.	s.	d.
1831	were	83	11	3
1832	—	85	19	6
1833	—	87	8	–

The wages of agricultural labour in the borough are 10*s.* a week; the poor rate about 3*s.* on two-thirds of the real value.

Prospects.

The town is considered to be rather improving, its buildings have increased, and a new church has recently been erected by subscription.

VIII.
SUMMARY AND OBSERVATIONS.

The constitution of this ancient and once populous borough was based on annual elections, and universal suffrage among the freemen, in all matters of corporate interest. They chose their own magistrates, and all other municipal officers; controlled the management of the corporate revenue by a public audit; and constituted the ruling body of the borough. Aldermen and common councilmen, holding office for life, were unknown to the constitution till they were introduced by James II. on the surrender of the ancient charters.

Perpetual inroads of the sea have narrowed the limits of the borough, and its population has suffered a corresponding decline. The number of resident freemen is now reduced to nine, sharing their corporate privileges with twice that number of non-residents.

They still elect, every year, their own magistrates, and audit their chamberlain's accounts; but that privilege from which the franchise has, for a long period, derived its principal, and, in most cases, its only value, has been taken away by the Reform Act. While the burgesses were allowed to continue a political constituency, thirty-two individuals, dispersed over the country, and unconnected by any other local interest, returned the two members for the borough. This number was divided and subdivided, for the purpose of apportioning to three distinct parties in the corporation, their shares of municipal power and borough patronage. Eight nominations were allotted to Colonel Barne, an alderman and bailiff; another eight to Lord Huntingfield, a common councilman; and the remaining sixteen the burgesses kept in their own hands; retaining, by this apportionment, the means of neutralizing, when the pleased, the combined influence of these two Patrons of the borough.

This is the balance of municipal power, which has regulated the modern working of the constitution. Its origin is referred to "the influence of property;" its result has been the formation of a political club, consisting of the few resident members, joined with gentlemen and clergymen of the county; officers in the army, East India service, and customs; two merchants, a farmer, a broker, and a coachman of London; besides others, whose places of residence are unknown in the borough. Such is the present corporate body of Dunwich.

The members of this body have no longer any common interest, and many of those who, before the Reform Act, maintained a colourable residence, by renting a room, or some other small tenement in the town, have now abandoned these nominal dwellings. The small band of residents still assemble at the annual election feast, which, for many years, was provided at the expense of their hospitable representatives; but they had no sooner lost their votes than the hospitality ceased, and they are now driven to the corporate funds, to pay for their election dinners. On the last occasion, Colonel Barne contributed 10*l.* in aid, as a farewell donation: the other patron has taken leave without any donation. "The case," says a venerable magistrate of the borough, laying aside his official caution, to account for the appearance of a new charge in the corporation expenditure,—"the case stood thus; if I cannot pipe in Saint Stephen's chapel, you must excuse my declining the purveyorship of the feeding department at Dunwich." This is the only instance which escaped to show the nature, though probably not the extent, of that "influence of property," to which he had before referred the origin of the borough patronage. Any other instances he declined to mention, and they consequently remain among those "secrets and counsels of the town," which the freemen, in their burgess oath, have sworn "not to betray nor disclose."

The local jurisdiction is now nearly obsolete. No felony has been tried at the Sessions within the last five years, and only one misdemeanor. There is no borough gaol, and the resident magistrate could suggest no reason for maintaining any longer a separate jurisdiction. Whether, in its present state, the town requires a distinct municipality, may be inferred from the statistical facts with which I closed the detail of my Report.

The borough no longer presents any appearance of its former importance. The ruins of a monastery of Grey Friars; part of an ancient church, standing on the edge of a cliff; a chapel of Saxon architecture; and the old hospital, or Maison Dieu, are the only remains of the capital of the East Angles. The harbour has disappeared, with several miles of land to the east, and the sea continues its steady course of encroachment upon the shore.

IX.
DOCUMENTS.

The Documents accompanying this Report are:

1. A Translation of the Governing Charter.
2. The Chamberlain's Account of 1832–3.

John Buckle.

REPORT

ON

THE CORPORATION OF EYE,

(SUFFOLK.)

CONTENTS.

	Page
1. Limits of the borough	2229
2. Charters	2229
3. Title of the Corporation	2229
4. Officers of the Corporation	2229
5. Freemen	2229
6. Bailiffs, election of	2229
7. Principal Burgesses	2229
8. Common Councilmen	2229
9. Recorder	2229
10. Town Clerk	2229
11. Coroners	2229
12. Serjeants at Mace / Gaoler — Appointment of	2229
13. Treasurer, election of	2229
14. Chamberlains	2229
15. Inferior Officers	2229
16. Fines	2229
17. Freemen, how created	2229
by Birth	2229
Apprenticeship	2229
Election	2229
Fees on admission of	2229
18. Ruling body, functions of	2230
19. Bailiffs	2230
20. Principal Burgesses and Common Councilmen	2230
21. Recorder	2230
22. Town Clerk	2230
23. Coroners	2230
24. Serjeants at Mace	2230
25. Gaoler	2230
26. Treasurer	2230
27. Chamberlains	2230
28. Ale-founders	2230
29. Searchers of the market	2230
30. Constables	2230
31. Freemen, privileges of	2230
32. Jurisdiction of the Corporation	2230
Petty Sessions	2230
Court Leet	2230
Court of Record	2230
33. Police	2230
34. Gaol	2230
35. Poor	2231
36. Patronage	2231
37. Licenses	2231
38. Revenue	2231
39. Debts	2231
40. Expenditure	2231
41. State and prospects of the Town	2232

CORPORATION OF EYE.

1. THE old borough is co-extensive with the parish of Eye. By the Boundary Bill the parishes of Hoxne, Denham, Redlingfield, Occold, Thorndon, Braisworth, Yaxley, Thrandiston, Broome and Oakley are added to form the new Parliamentary borough. LIMITS of the Borough.

2. Eye is a corporation by prescription. The Charter of the 9th Will. III. is the governing charter. There are eight other charters, the earliest of which is of the reign of John. Charters.

3. The Title of the corporation is Bailiffs, Burgesses and Commonalty of the Town and Borough of Heya, otherwise Eye. Title of the Corporation.

4. The Officers of the corporation named in the charter are— Officers of the Corporation.

2 Bailiffs.
10 Principal Burgesses.
24 Common Councilmen.
Recorder.
Town Clerk.
2 Coroners.
2 Serjeants-at-Mace.
Gaoler.

The officers not mentioned in the charter are—

Treasurer.
2 Chamberlains.
2 Ale-founders.
2 Searchers of the Market.
Constables.

5. The number of Freemen is about 132, 63 of whom are resident, and 69 non-resident. Freemen.

6. The two bailiffs and 10 principal burgesses nominate every year four of the principal burgesses, out of whom the common council elect two to be bailiffs for the year. Bailiffs, election of.

7. The principal Burgesses are elected for life from the inhabitants of the borough by the bailiffs and principal burgesses. Both the bailiffs and a majority of the principal burgesses must be present. The charter gives the power of electing the principal burgesses for life or otherwise; but it does not appear that they have ever been elected for any other time than for life. They are removable by the bailiffs, and the major part of the principal burgesses for reasonable cause, or for dwelling out of the borough for a year. Principal Burgesses, election of.

8. The 24 common councilmen are elected by their own body for life, from the inhabitants of the borough, and are removable for reasonable cause. Common Councilmen, election of.

9. The Recorder is elected for life by the bailiffs, burgesses and commonalty. Recorder, election of.

10. The Town Clerk is annually elected by the bailiffs and principal burgesses. He was formerly called steward. He is usually a solicitor. Town Clerk, election of

11. The two bailiffs, after the expiration of their year of office, are Coroners for the next year. Coroners, election of.

12. The Serjeants-at-Mace and the Gaoler are appointed yearly by the bailiffs, and are removable by them for reasonable cause. Serjeants-at-Mace, and Gaoler, appointment of.

13. The Treasurer is elected annually by the common council. Treasurer, election of.

14. The Chamberlains are elected annually by the common council from their own body. Chamberlains, election of.

15. The common council elect annually two ale-founders, two searchers of the market, and a constable for each of the five hamlets within the borough. There are also two constables for the town. Inferior officers, election of.

16. The bailiffs and principal burgesses have power, by the charter of William, to fine or imprison any one who is chosen bailiff, and refuses to serve the office without reasonable cause. Fines.

17. The freedom of the corporation is acquired by birth, apprenticeship or election. Freemen, how created.

The eldest living son, at the death of a freeman, is entitled to be admitted to his freedom. By an ancient bye-law of the time of Queen Elizabeth, the son is to be admitted, if the father died an owner in the town, paying only 12*d*. In practice, the eldest surviving son claiming his freedom after his father's death has always been admitted. By Birth.

Freedom by Apprenticeship is obtained by service under an indenture for seven years with a freeman within the borough. The indenture must be enrolled within six months of its execution. By Apprenticeship.

The bailiffs and principal burgesses have the right of admitting freemen by election; but it is seldom exercised in favour of any but the representatives of the borough in Parliament. A non-freeman who is elected either a principal burgess or a common councilman thereby becomes free. By election.

One pound is paid by a principal burgess on his election, 10*s*. by a common councilman, and 10*s*. by a freeman. These fees are paid by the principal burgesses and common councilmen on their election, without regard to their being freemen or non-freemen at the time. Fees on admission of Freemen.

Ruling Body, functions of.

18. The bailiffs, principal burgesses and common council are the ruling body of the corporation; but, by the charter, the power of making laws for the borough is vested in the bailiffs and principal burgesses. The bye-laws of the corporation are numerous, and some of them of an early date. The earliest now in existence was made in the reign of Queen Elizabeth, and contains a number of regulations for the government of the borough, which were afterwards embodied in the charter granted by her to the corporation. A case was laid before Mr. Dunning in the year 1770 respecting this bye-law; and he gave an opinion, in which he stated that he considered the bye-law still subsisting, so far as it was consistent with subsequent charters. The subsequent bye-laws have, in general, related to the freemen, who, however, are not mentioned in any of the charters, except that of Will. III. The last bye-law was made in 1833. It is obvious that the power of making bye-laws places the effective authority of the corporation in the hands of the self-elected body of bailiffs and principal burgesses.

Bailiffs, functions of.

19. The Bailiffs are the presiding officers of the corporation, and are justices of the peace and clerks of the market. They have no salary or emolument.

Principal Burgesses and Common Council, functions of.

20. The functions of the principal burgesses and common council have already been stated. They have neither salary nor emoluments.

Recorder, functions of.

21. The office of Recorder is merely honorary. He has neither any duties to perform nor any emoluments.

Town Clerk, functions of.

22. The Town Clerk is clerk to the bailiffs, as well when they act as magistrates as on other occasions. He records the proceedings of the corporation at their meetings. He has a salary of 3*l.* 3*s.* a year, and the coroner's fees on inquests. His bill on the corporation for the last 10 years has averaged about 20*l.* a year.

Coroners, functions of.

23. The Coroners perform the usual duties appertaining to their office, without emolument. The sum of 1*l.* received on each inquest is always paid over to the town clerk.

Serjeants-at-Mace, functions of.

24. The senior Serjeant-at-Mace is paid 3*l.* 17*s.* 6*d.*, and the junior 2*l.* a year for fulfilling the ordinary duties of their office. They also receive some small sums for cattle brought to the fairs.

Gaoler, functions of.

25. The Gaoler has the management of the gaol, and receives a yearly salary of 2*l.*

Treasurer, functions of.

26. The Treasurer is the receiver of the corporation rents, and keeps the accounts. He has a salary of 3*l.* a year.

Chamberlains, functions of.

27. The Chamberlains have the management of a portion of land called the Moor, belonging to the corporation, on which the freemen have a right of depasturing cattle. They have no salary, but enjoy a privilege which will be explained hereafter. [*See* title Freemen, below.]

Ale-founders, functions of.

28. The Ale-founders inspect weights and measures once or twice a year, and receive 10*s.* 6*d.* a year between them.

Searchers of the Market.

29. The Searchers of the Market have merely a nominal office.

Constables, functions of.

30. The Constables perform the usual duties, and are paid the ordinary charges by the magistrates.

Freemen, privileges of.

31. The Freemen have the right of voting for the representative of the borough in Parliament, subject to the provisions of the Reform Act. Such of the resident freemen as do not occupy 10 acres of land, have the privilege of depasturing one head of cattle, horse or cow on the moor, which contains about 20 acres, on paying 1*l.* for a horse and 13*s.* 4*d.* for a cow annually to the chamberlains. The chamberlains have the right of conferring a similar privilege on any one, for their own emolument. Freemen and all the inhabitants of the borough are exempt from serving on juries. They are also, by the charter of King John, exempt from the payment of toll all over England; but it does not appear that this privilege has ever been exercised. They also have an exclusive right of trading within the borough, and, till within a few years, the leet jury were accustomed to fine persons trading, without being free, 2*s.* a year each, which fines were paid. The practice has now been discontinued.

Jurisdiction of the Corporation.

32. The Corporation have no exclusive jurisdiction. No sessions for the trial of prisoners are held within the borough.

Petty Sessions.

Petty Sessions are held by the justices every Saturday, the town clerk acting as their clerk. They commit persons charged with offences to the county gaol, where they are detained till the assizes or sessions for the county are held.

Court Leet.

A Court Leet is held twice a year. The bailiffs preside. The jury makes presentment of nuisances, and fines for non-attendance; 5*s.* being the fine on a principal burgess, and 2*s.* 6*d.* on a common-councilman.

Court of Record.

By the charter of Will. III. the bailiffs, or one of them, are empowered to hold a Court of Record weekly to try mixed and personal actions within the borough. Formerly there was a great deal of business in this court, but there have been no proceedings in it for the last 80 years.

Police.

33. The Police consists of two serjeants-at-mace, four constables and two watchmen, who are appointed by the magistrates, and paid in part by the corporation, and in part by a private subscription. They appear to be efficient, and when, on extraordinary occasions, the inhabitants have been called on to act as special constables, they have done their duty.

Gaol.

34. The Gaol, which is very small, consisting of only one yard, one day-room and two sleeping cells, is part of the poor-house. The greatest number of prisoners in the gaol during the

the last year was three, all males. The total number of prisoners committed for three years was as follows :—

	Males.	Females.
1830	7	–
1831	14	2
1832	14	–

When there are both male and female prisoners, the latter are taken into the poor-house. The prison diet is 1½ lb. of bread a day, and 3 oz., or rather more, of cheese. The gaoler stated that no prisoner had been detained there longer than three months. The magistrates and a clergyman visit the gaol occasionally, but very seldom. The prisoners are furnished with Bibles, Prayer-books and other religious works, and the gaoler said that their conduct in general was orderly. Being only detained for trial, they have no employment, but a tailor has been allowed to work at his trade.

35. The corporation have no concern in the management of the Poor. Poor.

36. The corporation have no Patronage. Patronage.

37. There are 13 public-houses in the borough, 10 of which are the property of one of the principal burgesses. When he has been a bailiff, and as such a magistrate, a county justice has been called in to act with the other bailiff in licensing public-houses. The proprietor of these houses has never appeared on such occasions. Licenses.

38. The annual Revenue of the corporation is 409*l.*, but 108*l.* are received by them as trustees for charitable purposes. The property consists of houses and lands, and is usually let by tender. I found only one instance of partiality in the letting of the land, and the rents paid are stated to be as high as those of other lands of similar quality in the neighbourhood. In the case alluded to, the occupier of a farm had been in possession of it about a year, and had come in as administrator to his brother; the latter had held it more than 40 years, sometimes under a lease, but of late years as a yearly tenant. The corporation proposed to let this farm by tender; written tenders were sent in by the tenant and another person; the latter offered 200*l.* a year, and to lay out 30*l.* in landlord's repairs upon the premises. The tenant stated no particular sum, but offered to give 5*l.* more than any one else. The individual who offered the 200*l.* was admitted tenant, and the amount of his offer was never communicated to the former tenant. The new tenant is brother-in-law of a member of the common council, and since he has been in possession, 150*l.* have been expended on the premises. The tenant paid the 30*l.* according to his agreement; the remainder of the money came out of the funds of the corporation. The lease of the farm was for eight years. It is clear that in this case a preference was improperly given to a person connected with a member of the corporation, and that a considerable sum of money was improvidently expended on the premises. Besides this farm, there are about 60 acres let to different tenants for eight years; the rest of the corporation property is in the hands of yearly tenants. The income of the corporation has been of late in a small degree diminished. The average income of the last 12 years is 420*l.* Revenue.

39. The only Debt owing by the corporation is the sum of 290*l.*, a balance due to the treasurer, who acts as their banker. Debt.

40. On an average of the last 12 years the Expenditure of the corporation has exceeded its income by about 20*l.* a year. The balance owing to the treasurer has varied considerably; at the commencement of the period it amounted to only 40*l.* 9*s.* 2*d.* Since that time it has once reached 340*l.* 5*s.* 11*d.*, and at another time been reduced to 57*l.* 14*s.* 4*d.* The debt was diminished in the last year by the payment of 50*l.* 5*s.* 11*d.* The corporation have passed a resolution that in future 70*l.* a year shall be applied to liquidate the debt. The increase of the debt has been chiefly owing to unusually large sums having been laid out in repairs, deductions made in the rents of the corporation lands on account of the low price of corn, and occasional extraordinary expenses for charitable purposes. The following is an analysis of the corporation expenditure for the last year :— Expenditure.

	£.	s.	d.
Corporation expenses	86	9	9
Repairs	80	5	7
Salaries	100	3	7
Charities	99	17	2
£.	366	16	1

As the income held by the corporation for charitable purposes amounts to 108*l.* a year, and the expenditure under the head charities to 99*l.* 17*s.* 2*d.* only, it will be necessary to give some explanation on this head. Part of the charity property, which is now let for 40*l.* a year, was devised by a person named Kent to maintain an usher in a grammar-school in the town. The number of scholars not being sufficient to require the assistance of an usher, the rent is now regularly paid by the corporation to the master of the school, but is entered in their accounts under the head of salaries, together with another sum of 20*l.* paid voluntarily by the corporation to the schoolmaster every year. This leaves 68*l.* only to be applied by the corporation to charitable purposes, and the rest of the 99*l.* 17*s.* 2*d.* is supplied from their

EYE.

their own funds. The money is laid out in coals bought by the corporation, and sold to the poor at reduced prices.

There is no borough rate in Eye. The expenses of the maintenance of prisoners and of prosecutions are defrayed from the poor book.

State and prospects of the Town.

41. The borough contains 4,240 acres of land. The following are the Population Returns for the years

1801	1,734
1811	1,893
1821	1,882
1831	2,313

Of which the Males were, 1,066 - - - - Females, 1,247

Occupations:

Families employed in agriculture	184
Ditto trade and manufactures	229
Ditto not comprised in above classes	13

The annual value of real property in 1815 was 6,474 *l.*, and is stated to be about the same at present.

Assessed taxes for the year ending April 5th

1829	£. 412	7	3
1830	389	16	8
1831	410	17	2
1832	404	7	6

Parochial assessments for years ending 25 March:

1825	£. 1,979	4	
1829	1,677	3	–
1833	2,406	6	–

Number of houses in 1830:

£. 10, and under £. 20 rent	24
20 – 40 –	5
Total of £. 10 and upwards	29

Number of electors registered in 1832:

Freemen	53
10 *l.* occupiers	200
	253

By a statement sent herewith, the number of acres in the present borough of Eye, including the 10 parishes, is stated at 20,151; but it will be observed, that the parish of Eye is estimated at 5,000 acres, which is inconsistent with the above account.

The population of the new borough is stated as follows:—

1801	5,428
1811	5,752
1821	6,180
1831	7,015

This is entirely an agricultural district, and appears to be in a state of considerable depression. Rents are indifferently paid, and the profits of the farmers very small. The price of day-work to able-bodied men is only 9*s.* a week. Those employed in task-work earn from 10*s.* 6*d.* to 12*s.* a week. About 25 are now employed by the parish. This is, however, an unusually large number. In general from 10 to 14 are so employed. These are chiefly aged persons and children. For a time all the poor were employed under a labour rate, which has now ceased.

I send the following documents with the Report:—

1. A copy of the Charter of Will. III.
2. The dates of the former charters.
3. Return of the names, &c. of the corporate officers.
4. Account of the corporation property.
5. Summary of income and expenditure for the last 12 years.
6. Treasurer's account of receipt and expenditure for the last year.
7. Account of extent and population of the new borough.
8. Map of the old and new borough.

Geo. Long.

REPORT

ON

THE BOROUGH OF GODMANCHESTER,

(HUNTINGDONSHIRE.)

CONTENTS.

	Page
Limits of the Borough	2235
The Charters	2235
Title of the Corporation	2235
Officers	2235
Freemen	2235
Bailiffs, how elected	2235
Sub-bailiff	2235
Assistants	2235
High Steward	2235
Recorder	2235
Town Clerk	2235
Coroners	2235
Collector of Fee-farm Rents, &c.	2235
Inferior Officers	2235
Fines	2235
Free Suitors	2236
Freemen, how made	2236
by Birth	2236
Purchase	2236
Ruling Body, functions of	2236
Bailiffs	2236
Sub-bailiffs	2236
Assistants	2236
High Steward	2236
Recorder	2236
Town Clerk	2236
Coroners	2236
Collector of Fee-farm Rents, &c.	2236
Inferior Officers	2236
Free Suitors	2236
Freemen, privileges of	2236
Fines on Freemen	2236
Courts	2236
Court Leet	2236
Court of Pleas	2236
Police	2237
Gaol	2237
Poor	2237
Patronage	2237
Property and Revenue	2237
Commons	2237
Debts	2 237
Annual Expenditure	2237
Audit of Accounts	2237
State and Prospects of the Town	2237
Population, &c.	2237
Local Acts	2238
Documents sent with the Report	2238

BOROUGH OF GODMANCHESTER.

THE jurisdiction of the Corporation extends over the whole parish of Godmanchester, the limits of which are marked in the boundary map of the new borough of Huntingdon. LIMITS of the Borough.

The following is a list of the Charters granted to Godmanchester. That of James I. is the governing charter. There are 19 other charters. The Charters.

	A. D.		A. D.
John - - -	- 1213	Henry VI. - -	- 1422
Edward I. - -	- 1275	Edward IV. - -	- 1461
Edward III. - -	- 1347	Henry VII. - -	- 1485
Richard II. - -	- 1377	Henry VIII. - -	- 1509
Ditto - - -	- 1379	Edward VI. - -	- 1547
Ditto - to free from toll	- 1381	Mary - - -	- 1553
Ditto - waifs and strays	- 1381	Elizabeth - - -	- 1558
Ditto - confirmation -	- 1392	James I. - - -	- 1605
Henry IV. - -	- 1399	James II. - - -	- 1685
Henry V. - - -	- 1413		

The Title of the corporation is "The Bailiffs, Assistants and Commonalty of the Borough of Gumcester, *alias* Godmanchester, in the County of Huntingdon." Title of the Corporation.

The Officers of the corporation named in the charter are, Officers named in the Charter.

2 Bailiffs.
12 Assistants.
High Steward.
Recorder.
Deputy Recorder.
Town Clerk.

The following officers are not named in the charter: Officers not named in the Charter.

Sub-bailiff.
2 Coroners.
Collector of the King's Fee-farm Rents.
Hayward.
Bellman.
2 Constables.
Bread Weigher.
Ale Taster.
12 Free Suitors.

There are, at present, 124 resident Freemen, about 20 non-resident, and 17 free single women. Freemen.

The Bailiffs are annually elected by the assistants from the freemen, and it is usual to elect the assistants in rotation, according to seniority. Bailiffs, how elected.

The Sub-bailiff is appointed by the bailiffs, and holds his office during their pleasure. Sub-bailiff, how appointed.

The Assistants are elected for life by the burgesses and assistants from the freemen. Assistants, how elected.

The High Steward is elected by the bailiffs and assistants, for life. High Steward, how elected.

The Recorder is elected by the bailiffs and assistants, and holds his office during their pleasure. Recorder, how elected.

The Town Clerk is elected in the same manner, and holds his office during the pleasure of the bailiffs and assistants. Town Clerk, how elected.

The bailiffs of the preceding year are the Coroners. Coroners.

The Collector of Fee-farm Rents and Amerciaments is elected annually by the bailiffs and assistants, and is removable at their pleasure. The Collector of Fee-farm rents and Amerciaments, how elected.

The Hayward, Bellman, Constables, Bread Weigher and Ale Taster are elected annually, and removable by the same body. Inferior Officers, how elected.

There were formerly instances of assistants having been fined for refusing the office of bailiff, one in 5*l.*, another in 10*l.* Fines.

Free Suitors. The Free Suitors are also elected and removable in the same manner.

Freemen, how made. The means of acquiring freedom are; 1. Birth; 2. Purchase.

By Birth. All sons of freemen at 21, and all daughters at 16, become free, and no form of admission is requisite.

By Purchase. Any person applying is admitted to his freedom on paying the sum of 26*l.* 13*s.* 6*d.* The bailiffs and assistants admit, and it does not appear that they have ever refused an applicant.

Ruling Body, functions of. The bailiffs and assistants are the Ruling Body of the corporation, and have the general management of its affairs. The corporation formerly enjoyed a separate commission of the peace; and, though it has been discontinued, still consider themselves entitled to it.

Bailiffs, functions of. The Bailiffs preside at the court leet, take surrenders and make conveyances of property according to the custom of Borough English, which prevails throughout the borough; are treasurers of the corporation; keep the accounts; regulate the stocking of the commons; audit the yearly accounts of the grass hirers, and regulate sluices and flood-gates in the river. The bailiffs for the time being are lords of the manor. They receive 8*s.* a year each, and the tolls of the fair (after deducting about 6*l.* 8*s.* a year), 4*s.* on every surrender of property, and 8*s.* if the party surrendering be a feme covert; the annual number of these surrenders does not exceed six.

Sub-bailiff, functions of. The Sub-bailiff is the deputy of the bailiffs: he attends at the court leet, and serves summonses and executes warrants; he receives in salary and emoluments about four guineas a year.

Assistants, functions of. The Assistants have no duties to perform except as members of the ruling body.

High Steward, functions of. The duty of the High Steward is to preside at the council, but in fact he never attends.

Recorder, functions of. The Recorder is the legal adviser of the corporation; this office was formerly held by a nobleman; the present recorder is a solicitor.

Town Clerk, functions of. The Town Clerk is also a solicitor; his duty is to act as an officer of the court leet and the court of pleas, and to attend on the corporation whenever required; he receives 2*l.* 13*s.* 4*d.* annually, but no fees.

Coroners, functions of. The Coroners perform the ordinary duties of their office; and receive 1*l.* for each inquest, 12*s.* of which are paid over to the jury.

Collector of the Fee-farm rents, salary of. The Collector of the fee-farm rents and amerciaments receives a salary of 3*l.* 13*s.* 6*d.* a year.

Inferior Officers, salaries of. The Hayward receives a salary of 18*s.* 8*d.* a year, and three guineas yearly in lieu of land. The Bellman's annual salary is four guineas. The Constables receive three guineas yearly each, in lieu of land. The Bread-weigher and Ale Taster have neither salary nor emolument.

Free Suitors, functions of. The Free Suitors are the body from whom the jury is chosen. They must all be freemen. They assemble four times a year, when a dinner is given to them by the corporation. They receive annually 4*s.* each, and 12*s.* 2*d.* whenever they are called on to examine encroachments and to determine boundaries; they are bound to attend at the court of pleas.

Freemen, privileges of. The Freemen who reside in what are called commonable houses enjoy the right of stocking the common with two cows or one horse from Old May-day till Martinmas, and with four sheep from Martinmas till Candlemas. The commonable houses were declared to be so by a resolution of the corporation in 1607, and must have been erected before Sept. 28th, 1601, or since that time on the site of those ancient houses; there are 218½ commonable houses. The freemen enjoy an exemption from the payment of tolls in fairs and markets, and on bridges, throughout England. They are liable to be summoned to attend as jurymen within the corporation jurisdiction; but the freemen and all the other inhabitants are exempt from serving on juries for the county, and from carrying the King's baggage. The freemen alone have a right to open shops in the borough, and a non-freeman doing so is subject to a fine of 3*s.* 4*d.*

Fines on Freemen. A fine of 6*s.* 8*d.* is imposed on a Freeman refusing to serve as a juryman.

Courts. Court Leet. The Court Leet is held twice a year by the bailiffs as lords of the leet. The accounts of the grass hirers are produced and passed at this court. Nuisances and encroachments are presented by the jury, orders are made by the bailiffs for their removal, and fines imposed on offenders. The jury usually settle the amount of the fines, subject to the approbation of the bailiffs. They also regulate the stocking of the common in the same manner.

Court of Pleas. The bailiffs and assistants hold a Court of Pleas every three weeks, and the town clerk attends. Debts may be recovered to the amount of 40*s.* Three jurors are summoned for each court, and they generally decide on the claims of the litigating parties. The suitors, however, have a right to go on to issue and trial by a full jury of 12, but this never takes place. Where there are disputes respecting matters of account, the bailiffs and town clerk usually settle them; but the bailiffs take the opinion of the three jurors. The expense of a summons is 6*d.* The town clerk has also a right to demand 6*d.*, but never takes it. If the cause were to be proceeded with, the process and pleading would be the same as in the King's

King's Bench. A table of fees is hung up in the court. About five causes are tried upon an average at each court. The jurisdiction does not extend beyond the limits of the town. GODMANCHESTER

The two constables are the only police; but the inhabitants have, for the last two or three winters, subscribed for 30 watchmen; three of whom are on duty every night. The constables are sufficient for the ordinary day duty. The inhabitants willingly lend their assistance as special constables on particular occasions. There is at present no resident magistrate in Godmanchester, and great inconvenience appears to be experienced from that circumstance. Police.

There is no Gaol here; but a cage is used to secure persons charged with offences till they can be taken before a magistrate. The prisoners are never detained in the cage more than one night, and they have sometimes (though but rarely) been discharged because a magistrate could not be met with. Gaol.

The corporation have no concern in the management of the Poor. Poor.

They have no Patronage. Patronage.

The Revenues of the corporation amount to 307 *l.* a year. Of this sum 290 *l.* 7 *s.* is derived from the rent of mills and land, 11 *l.* 12 *s.* from rights of property in the river, 3 *l.* from the tolls of a fair, and 2 *l.* from the bridge wharf. Property and Revenue of the Corporation.

Five Commons belong to the corporation, from which they derive no revenue. They are stocked by the freemen, and, when necessary, other grass is hired for their use. The sums paid for the admission of freemen are always expended on the commons. Commons.

The Debts of the corporation amount to 2,800 *l.* A note has been given for 100 *l.* of this sum; the rest is secured on mortgage. The money borrowed was expended partly on the mills and bridges, and partly in litigation concerning the commons. Debts.

The Annual Expenditure is about 250 *l.* The chief expenses are the salaries of the officers and jurymen, clothing for servants, land-tax, fee-farm rents, repairing the bridge, drawing flood-gates, insurance, and interest of money. A fund of 20 *l.* is reserved annually for apprenticing lads to trades. It is not expended every year; but the corporation always hold themselves in readiness to advance it whenever eligible situations can be found. The apprentices must be bound out of the town. Annual Expenditure.

It appears from the Report of the Charity Commissioners, that certain lands were purchased by the executors of Mr. Christopher Fisher in 1674, and certain other lands by persons authorized under the will of Mr. John Dryden in 1708, for the purpose of applying the rents for putting out poor children of the town apprentices, in such manner as the bailiffs, assistants and vicar of Godmanchester, or the major part of them, should think fit. Under an Inclosure Act, 43 Geo. III., an allotment of land was made to the corporation in compensation for these and other lands. Since that time the corporation have continued to put out apprentices, but have made no specific appropriation of any part of the rent of the allotment to that purpose. The Charity Commissioners found great difficulty in coming to a conclusion respecting the proportion of the rent of this allotment which should be given to the apprentice fund; but they thought not less than 40 *l.* a year ought, according to the present letting, to be so applied, and that the sum should be varied hereafter as occasion may require.

The Accounts are audited yearly by the bailiffs and assistants, and no objection is ever made to them. They are never published. Audit of Accounts.

Some complaints were made of the bad moral state of the town, and the want of a resident magistrate was much complained of. It was stated to us that on an average about 25 people are out of employment. This is an agricultural district, and the average wages of labour are from 10 *s.* to 12 *s.* a week, independent of what is earned in harvest. State and Prospects of the Town

It appears to be generally thought by the respectable inhabitants that a plan of municipal government by which the 10 *l.* householders should elect an intermediate body, and that body the superior officers of the corporation, would be beneficial. Many think that a corporate union with Huntingdon, in the Parliamentary representation, of which borough the town of Godmanchester is now included, would be advantageous; but all seem aware that difficulties would probably arise respecting financial arrangements between the two towns.

The Population of the borough was in Population, &c.

1801	1,573
1811	1,779
1821	1,953
1831	2,146

The number of statute acres in the borough is 4,667 A. 2 R. 36 P.

The annual value of assessed property for the last three years was 21,493 *l.* 8 *s.* 6 *d.*; the parochial assessment for the same period was 16,119 *l.*; the assessed taxes for the same period were 1,230 *l.*

GODMANCHESTER.

The number of registered electors in

1832	100
1833	116

The number of 10*l.* houses	103
Ditto 20*l.* „	20
Ditto 40*l.* and upwards	1

Local Acts.

There are no Local Acts.

Documents sent with the Report.

We send the following Documents:—

1. A copy of the charter of James I.
2. A list of the officers o the corporation.
3. An account of the receipts and expenditure of the last year.
4. Regulations as to surrenders, &c., of estates, table of fees, &c.
5. Boundary map of the borough of Huntingdon, including Godmanchester.

Geo. Long.
John Buckle.

REPORT

ON

THE BOROUGH OF GRANTHAM,

(LINCOLNSHIRE.)

CONTENTS.

	Page.
Limits of the Borough	2241
——— Soke	2241
Charters	2241
Title of the Corporation	2241
Officers	2241
Freemen	2241
Alderman, how elected	2241
Deputy Alderman	2241
Com-Burgesses	2241
Second 12 Burgesses	2241
Recorder	2241
Deputy Recorder	2242
Common Clerk	2242
Coroner	2242
Escheator	2242
Chief Constables	2242
Chamberlain	2242
Cashier of the Borough	2242
Treasurer of the Soke	2242
Constables	2242
Inferior Officers	2242
Freemen, how created	2242
Birth	2242
Apprenticeship	2242
Purchase	2242
Grant	2242
Sums paid on admission by Purchase Fees	2242
Ruling Body, functions of	2242
Alderman	2242
Deputy Alderman	2242
Com-Burgesses	2242
Second 12 Burgesses	2243
Recorder	2243
Deputy Recorder	2243
Common Clerk	2243
Coroner	2243
Escheator	2243
Chief Constable	2243
Chamberlain	2243
Cashier of the Borough	2243
Treasurer of the Soke	2243
Constables	2243
Inferior Officers	2243
Freemen, Privileges of	2243
Courts	2243
Sessions	2243
Petty Sessions	2244
Court of Record	2244
Juries	2244
Police	2244
Gaol	2244
Poor	2244
Patronage	2244
Licenses	2245
Revenue	2245
Property sold	2245
Debts	2245
Annual Expenditure	2245
Chamberlain's Account	2245
Borough Rate	2245
Soke Rate	2245
Audit of Accounts	2245
Population	2246
State of Borough and Soke	2246
Extent and Jurisdiction	2246
Local Acts	2246
Documents	2246

BOROUGH OF GRANTHAM.

Limits of the Borough.

THE Borough of Grantham contains the town only, which is but a small part of the parish of Grantham. The Parliamentary franchise has been extended by the Boundary Act to the whole parish (including the several townships of Spittlegate, Manthorpe-with-Little-Gonerby and Harrowby), and that part of the parish of Somerby which is contained between the boundary of the parish of Grantham and High Dyke.

Limits of the Soke.

The Soke of Grantham includes the parishes or townships of Barkston, Belton, Braceby, Colsterworth, Woolsthorpe, Denton, Stoke Rochford, Easton, Great Gonerby, Harbaxton, Londonthorpe, Great Ponton and Sapperton.

Charters.

The governing Charter was granted in the 7th year of Charles I. The following is a list of other charters granted to the corporation:

3d Edward IV.	(8th March.)
1st Richard III.	(3d March.)
1st Henry VIII.	(14th March.)
1st Edward VI.	(24th November.)
7th Edward VI.	(28th March.)
1st and 2d Philip & Mary	(1st December.)
1st Elizabeth	(11th February.)
25th Elizabeth	(17th June.)
39th Elizabeth	(5th October.)
2d James I.	(8th June.)
16th Charles II.	(10th June.)

Grantham is also considered to be a corporation by prescription.

Title of the Corporation.

The corporation Title is, "Alderman and Burgesses of the Town or Borough of Grantham."

Officers named in the Charters.

The Officers named in the governing charter are,

Alderman.
Deputy Alderman.
Recorder.
Deputy Recorder.
Thirteen Com-burgesses, of whom the Alderman is one.
Twelve second twelve Burgesses.
Clerk of the Market, and
Common Clerk.

The Coroner is named in a former charter, but not in the governing charter.

Officers not named in the Charter.

The Officers not named in the charter are,

Escheator.
Two Chief Constables.
Chamberlain.
Cashier of the Borough.
Treasurer of the Soke.
Ten Constables.
Market Sayer.
Corn Prizer.
Two Promoters.
Bailiff of the Liberties.
Two Serjeants at Mace.
Gaoler.
Beadle.
Town Crier.
Leather Searcher.

Freemen.

There are 312 resident Freemen, 174 resident within seven miles, and about 414 non-resident.

Alderman, how elected.

One of the com-burgesses is annually elected Alderman by the majority of the com-burgesses, and second 12 burgesses present in the alderman's court. In the event of his death or removal during the year, the same body fill up the vacancy. The senior com-burgess, who has not served the office, is usually elected alderman.

Deputy Alderman, how appointed.

In the event of the necessary absence of the alderman from Grantham he may appoint a Deputy, who must be a com-burgess; but this appointment is seldom made.

Com-burgesses, how elected.

The Com-burgesses are elected for life by the alderman's court from the second 12, who alone are eligible. Residence is required, but no qualification of property. They are removable by the alderman's court for misconduct.

Second Twelve Burgesses, how elected.

The second 12 Burgesses are elected in the same manner for life. They are taken from the resident burgesses, and are removable by the alderman's court for sufficient cause. No qualification of property is necessary. Within the last 20 years two have been removed, one on account of having ceased to reside at Grantham, and the other for non-attendance at the alderman's court.

Recorder, how elected.

The Recorder is elected by the alderman's court, and holds his office during their pleasure. He must be approved of by the Crown.

GRANTHAM.

Deputy Recorder, how appointed. The Deputy Recorder is appointed by the recorder, and is always a barrister. He must be approved of by the Crown, and sworn in at the alderman's court. There is an exception in his appointment of the court of record, in which the town clerk always acts as deputy recorder, under another deputation from the recorder.

Common Clerk, how elected. The Common Clerk, who is usually called the town clerk, is elected by the alderman's court for life, with the approbation of the Crown.

Coroner, how elected. The Coroner is not expressly mentioned in the governing charter, but is named in the previous charter of 3d Edward IV., and the charter 7th Charles I. confirms all former charters. He is annually elected from the com-burgesses by the alderman's court, and is generally the alderman of the preceding year.

Escheator, how elected. The Escheator is annually elected by the alderman's court; and it is usual to elect the com-burgess who stands next for the office of alderman.

Chief Constables, how elected. The two Chief Constables are appointed annually by the alderman's court, and are generally, but not necessarily, taken from the second 12 burgesses. Each constable usually serves two years, and one new one is elected every year.

Chamberlains, how elected. The alderman's court always elects the senior constable to the office of Chamberlain.

Cashier of the Borough Rate, how elected. The Cashier of the Borough Rate is elected by the alderman's court, who usually select the junior constable for that office.

Treasurer of the Soke, how elected. The Treasurer of the Soke is elected by the magistrates at sessions.

Constables, how appointed. Ten Constables are annually appointed by the alderman's court; one from each of the six wards of the borough and four others; the gaoler and beadle of the house of correction and two serjeants at mace are always of the number.

Inferior Officers, how appointed. The Market Sayer, Corn Prizer, and all the other inferior officers mentioned above, are annually appointed by the alderman's court.

Freemen, how created. The freedom of the corporation is acquired by birth, apprenticeship, purchase or gift.

Birth. The eldest sons of freemen are entitled to their freedom at the age of 21 years.

Apprenticeship. All persons who have served a seven years' apprenticeship to a freeman resident within the borough have a right to be admitted freemen.

Purchase. Persons applying to be admitted to their freedom by purchase, are in general allowed that privilege; some few have been excluded on account of their connexion with an individual who had made himself (as it seems) deservedly unpopular with the inhabitants of the borough. The exclusion does not appear to have been on political grounds.

Grant. Some members of the royal family and a few distinguished individuals have been admitted freemen by grant; but this mode of admission is rarely adopted.

Sums paid on Admission by Purchase. The sums paid on the admission of freemen by purchase have varied from time to time. In 1796, it was 20 guineas; in 1799 and 1802, 30 guineas; and in 1805 it seems to have varied from 50 to 80 guineas; but in the year 1808, it was ordered that such persons as the court should admit to their freedom by purchase should pay, if resident, 50 *l.*, and 100 *l.* if non-resident, including stamps on admission. These variations were made by order of the corporation.

Fees. Persons admitted by purchase pay the following Fees:—16 *s.* to the corporation; 1½ guinea to the town clerk, and 5 *s.* to the serjeants at mace. Persons claiming their freedom by birth or apprenticeship pay 2½ guineas fees, including the stamp.

Ruling Body, functions of. The alderman's court is the Ruling Body of this corporation. By the terms of the governing charter, the alderman is to "summon and call to this court the co-burgesses, the second 12 burgesses, and all other such officers, burgesses and inhabitants of the borough as have been accustomed from time whereof the memory of man is not to the contrary, to be summoned and called to the said court." We have found ourselves unable, without devoting more time to a full investigation of the preceding charters than the nature of the inquiry seemed to justify, to ascertain of whom the body mentioned in this passage was composed. At the present day, the aldermen, com-burgesses and second 12, alone compose this court, and they appear to have done so for a very long period.

Alderman, functions of. The Alderman is the head of the corporation, and presides at all meetings of his court. He is a magistrate for the borough and soke (which is under the exclusive jurisdiction of the corporation; their magistrates having the same powers as the justices of peace of the adjoining division of the county called the Parts of Kesteven), presides at the sessions, and at the court of record for the recovery of debts. He is clerk of the market, returning officer at the election of Members of Parliament for the borough, and lieutenant of the soke, to which character belongs the arming and arraying of the *posse comitatus*; his salary is 100 *l.* a year, and the expense of serving the office 120 *l.* or 130 *l.*

Deputy Alderman, functions of. The Deputy Alderman, in the absence of his principal, performs all his functions.

Com-Burgesses, functions of. The Com-burgesses are magistrates for the borough and soke. The six seniors are trustees of certain charities. They have neither salary nor emolument.

The

The second 12 burgesses do not appear to have any duties beyond attending and taking a part in the proceedings of the alderman's court. — 2d Twelve Burgesses, functions of

The Recorder is required by the charter to be "skilled in the laws of England." The present recorder is the Duke of Rutland. He must be present, personally or by deputy, at all the sittings of the court of sessions and of the borough court of record. All the duties of this office are performed by the deputy. The recorder has no salary or emolument. — Recorder, functions of.

The Deputy Recorder acts on all occasions for the recorder, and has neither salary nor emolument. — Deputy Recorder, functions of.

The duty of the Common Clerk is to attend on the alderman and magistrates as their legal adviser on all occasions; also to act as clerk of the peace at the quarter sessions, and as the deputy of the recorder in the civil court of the borough, and to attend the coroner on all inquests. He receives a salary of 10*l.* a year, and his incidental emoluments amount to about 160*l.* — Common Clerk, functions of.

The coroner performs the ordinary duties of that office, and receives 1*l.* on each inquest, 6*s.* 8*d.* of which is paid over to the common clerk. — Coroner, functions of.

The Escheator appears to perform no duties beyond an occasional inspection of the market. — Escheator, functions of.

The Chief Constables fulfil the duties of their office without any salary or emolument, except an allowance of 1*s.* each time they are employed to procure waggons for the carriage of military baggage. — Chief Constable, functions of.

The Chamberlain keeps the accounts of the corporation, superintends repairs, and should make a survey of the corporation property at least once a year. No such survey however has been reported by the chamberlain to the alderman's court for a long series of years. — Chamberlain, functions of.

The Cashier of the borough collects and disburses the borough rate, which is made by the alderman's court on the inhabitants of the borough. Payments are made from this fund for the police, and for water for the town, as well as for watching and lighting it. He is allowed two guineas a year for his trouble. — Cashier of the Borough, functions of.

The business of the Treasurer of the Soke is to receive the sums assessed as a soke rate by the magistrates on the several parishes within the soke, and to make disbursements of the same. — Treasurer of the Soke, functions of.

All the constables appointed by the alderman's court act throughout the whole of the town, but not in the soke. It appears by the cashier's accounts that 56*l.* 10*s.* 9*d.* were paid to the constables in the year ending October 29th, 1832. — Constables, functions of.

The Market Sayer's duty is to prevent unwholesome provisions from being sold in the market, to seize them if brought there, and report the fact to the alderman. He has no salary or emolument. — Inferior Officers, functions of.

The Corn Prizer used to take the price of corn in the market, when the assize of bread was made, for which he received 10*l.* a year.

The assize is now discontinued, and he receives nothing.

The Promoters are merely nominal officers.

The Bailiff serves process, and summons juries for the sessions, and for the coroner's inquests. He is paid a certain sum by each parish within the soke, and his emoluments for the last year amounted to 9*l.* 7*s.* 2*d.*

The two Serjeants at Mace are employed to attend on the alderman, to execute the process of the court of record, and to perform the duties of policemen and constables. They receive about 35*l.* a year each.

The Gaoler resides in the gaol and receives a salary of 25*l.* a year.

The Beadle is the keeper of the house of correction, and resides in it. He is paid 13*s.* a week, and has a few trifling incidental emoluments.

The Town Crier has no salary.

The Leather Searcher is a nominal officer.

The Freemen have the benefit of a trust fund called the Key-bearer's charity, and vote in the election of the key-bearers, who have the direction of the trust. The property held by the trustees consists of houses, shops and land, which are let for 89*l.* a year; and they have 300*l.* on mortgage yielding 4½ per cent. interest, 13*l.* 10*s.* The freemen vote for the Members of Parliament for the borough. They are exempt from the payment of tolls in the borough; and neither the inhabitants of the soke or borough are liable to serve on juries for the county. — Freemen, privileges of.

The Court of Sessions has been usually held for the borough and soke only twice a year, at Easter and Michaelmas. There has been occasionally, however, a session at Christmas, and in the present year one was held at Midsummer. This was done in consequence of a petition having been presented to the House of Commons; and it is intended to hold the sessions in future regularly every quarter. The alderman or his deputy presides, and the recorder or deputy recorder must be present, and two other magistrates. All felonies not capital, committed within the borough and soke, are tried at the sessions. About 12 prisoners a year are tried on an average. The jurisdiction is exclusive as respects the county magistrates. Capital offences are tried at the assizes at Lincoln. Counsel very seldom attend. Appeals against poor's rates are tried at these sessions, but are of rare occurrence. — Courts. Sessions

Petty Sessions are held by the magistrates every Monday.

GRANTHAM.

Petty Sessions. Court of Record.

A Court of Record, in which all personal actions may be tried, is held before the alderman and the common clerk, the latter acting as the deputy of the recorder, under the delegation which has been already mentioned. Monday in every week is the regular day for holding this court, but as little business is transacted, it is not usual for the court to sit unless some matter is expected to be brought forward. The process, both bailable and serviceable, and the pleadings are assimilated, as nearly as possible, to the practice and pleadings of the Court of Common Pleas at Westminster. The pleadings pass through the office of the common clerk. All attornies of the superior courts are allowed to practise in this court. By the charter real and mixed actions may be tried; but in practice the court is limited to the trial of personal actions for the recovery of debts not exceeding 40*l.* Defendants are sometimes arrested under the process of the court. As the preliminary steps preceding a trial can only be gone through on a court day, two or three court days necessarily elapse between the commencement of the suit and the trial. The jurisdiction of the court extends over the whole soke. Causes are removable to the superior courts. Execution issues both against the body and goods of the defendant. The costs of serviceable process vary according to the amount of the sum sued for, from 12*s.* 6*d.* to 1*l.*; on arrest there is an expense of 1*l.* 15*s.* 6*d.*, and the officer's fee of 5*s.*, with 6*d.* a mile additional if the arrest take place in any of the townships of the soke. The average costs of a suit, when judgment goes by default, vary according to the amount for which the action is brought, from 2*l.* 10*s.* to 6*l.* The attornies appear to be deterred from resorting to this court by the smallness of the fees allowed. Causes are in general settled previously to judgment. Not more than three causes have been tried in the court for several years, and no writ of inquiry on judgment by default has been sued out for 15 or 16 years. Costs are taxed by the common clerk.

Juries.

The bailiff summons the Sessions Juries, and selects one person from each parish in the soke for the grand, and another for the petty jury. Four are taken from the borough for the grand, but none for the petty jury. No qualification is required in a juror, but the juries are composed of individuals who would be qualified to serve under the provisions of the late Jury Act. It has however been occasionally suggested by the alderman and the magistrates, that persons of larger property and superior intelligence might be found to serve on juries. The jurors for the court of record are selected from the borough only.

Police.

The mode of appointing constables for the town has been already mentioned. The magistrates name annually a constable for each parish and township within the soke; and on some occasions, when the inhabitants have desired it, two have been appointed for one place. This force appears to be in general sufficient for the borough and soke; and on extraordinary occasions a sufficient number of special constables has been appointed.

Gaol.

The same prison serves for the double purpose of a gaol and a house of correction for the whole soke. It contains six day rooms and fourteen sleeping cells, and the classification of the prisoners, as far as is practicable in a prison of this size, appears to be properly attended to. All prisoners for trial are allowed 6*d.* a day each for subsistence, convicted prisoners 4*d.*, and debtors 4*d.*; this last is a very recent allowance. The convicted prisoners work on a treadmill, and sometimes in gardens, one of which is contained in every yard of the prison. The untried prisoners often work voluntarily in these gardens. Very few female prisoners are sent to this gaol, and in the year from October 1831 to October 1832 there was not one female prisoner in the gaol. The number of prisoners was from

	For Felony.	For Misdemeanors, and Vagrants.	Debtors.	TOTAL.
October 1831 to October 1832 -	11	13	3	27
October 1832 to September 1833 -	11	20	2	33

The health of the prisoners appears to be good. They are attended by a medical man, who receives a salary of 10*l.* a year. The prisoners are furnished with bibles and prayer-books, but no chaplain attends the gaol, and no religious instruction is given to the prisoners. Two magistrates usually visit the gaol once a week. There is a good inspection from the houses of the gaoler and turnkey of all the yards except that in which the vagrants are confined. The gaoler gave on the whole rather a favourable account of the conduct of the prisoners, but he thought that they would be benefited by the attendance of a chaplain.

Poor.

The corporation do not interfere in the management of the Poor.

Patronage.

The Alderman's Court have, by a charter of Edward the Sixth, the appointment of a master of a free grammar school, founded by that monarch. By order of the court of chancery, 24th of August 1815, the alderman's court was directed to appoint an usher and writing master. The property, from which the funds for the support of this school are derived, is let under the direction of this court. The rent for the last year was 748*l.* 14*s.* 6*d.*, which was expended as follows. The master received 150*l.*, the usher 130*l.* and the writing master 80*l.*; these three are yearly salaries; 330*l.* were paid as exhibitions in the university of Cambridge, and 58*l.* 14*s.* 6*d.* was expended in repairs.

The alderman's court also exercises the privilege of visitors of Corby school once a year, under the will of Charles Read, 1669; and their consent is required (with that of others) to the appointment of the master.

Licenses. The Licenses for public-houses are granted by the magistrates in the usual manner. We have no remark to make under this head.

Revenue. The regular annual Revenue of the corporation is about 400*l.* To this must be added an uncertain sum received every year for the admission of freemen, and which last year amounted to about 21*l.* The principal items are, 210*l.* the rent of two mills, and 100*l.*, dividends on 10 shares in the Grantham Canal Navigation; 12*l.* are collected as the tolls of a fair. The rest is made up of rent of houses and land, interest of a mortgage on turnpike trusts, and a few other very small matters. Many of the houses are held on renewable leases granted more than a century ago, and at rents very greatly below their value at the present time. The corporation received till lately a toll thorough for cattle, but it has been relinquished on account of its extreme unpopularity with the inhabitants.

Property sold. The income of the corporation has long been inadequate to cover their expenses; and Property has from time to time, within the last fifty years, been sold to supply the deficiency. The total sum received on these sales was 851*l.* 1*s.* Some of this money has been applied to particular purposes. Fifty pounds were expended in the purchase of an open piece of land in Grantham, called the Wood Hill or Peter Church Hill. It has since the purchase been railed in and gravelled by the corporation, and appears to conduce to the health of the inhabitants; 300*l.* have been applied to the improvement of one of the mills; the remainder has been used for the general purposes of the corporation.

Funded property in the three-and-a-half per cents. was sold, to the amount of 353*l.* 16*s.*, to make up the deficiency in the funds of the corporation, and to cover the expenditure of the year ending January 21st, 1833.

Debts. The only Debts of the corporation are four rent-charges, amounting in the whole to 15*l.* 10*s.*, payable to the poor of four parishes; an annuity of 30*l.* secured by bond, and 4*l.* 12*s.* paid to the poor of Grantham, and to other poor persons. They also guarantee the payment of an annuity of 10*l.*, granted originally by them for the sum of 100*l.*, which sum has since been paid over to the trustees of the highways, who now pay the annuity.

Annual Expenditure, Chamberlain's Account. The Expenditure of the corporation for the year ending January 1832, appears by the Chamberlain's Account to have amounted to 1,220*l.* 16*s.* 2*d.*; 709*l.* 15*s.* 11*d.*, part of this sum, is made up of extraordinary expenses, as follows; 300*l.* paid for the repairs of one of the mills, on account of which an additional rent of 15*l.* a year is now paid to the corporation; 389*l.* 6*s.* 3*d.*, the balance due to the former chamberlain at the beginning of the year; and 20*l.* 9*s.* 8*d.*, paid by the chamberlain for the soke, for the cashier and for Hurst's charity, and to be repaid to the corporation. Deducting these sums, a balance remains of 511*l.*, which appears to be the ordinary expenditure of the corporation. This sum considerably exceeds their income, which it has already been seen is not much more than 400*l.* a year. A balance of 118*l.* 19*s.* remained due to the chamberlain at the end of the year. Among the larger items of the expenditure are, the alderman's salary 100*l.*, about 50*l.* for the payment of permanent charges on the property of the corporation, and about 56*l.*, the bill of the town clerk for law expenses; 5*l.* 5*s.* was given to a lunatic asylum, and the rest of the expenditure is chiefly made up of salaries to different officers of the corporation, and tradesmen's bills.

Borough Rate. The sum of 339*l.* 3*s.* 1½*d.* was levied by the borough rate for the year ending 29th October 1832, at 9*d.* in the pound. The disbursements appear by the accounts of the cashier of the borough to have been 314*l.* 10*s.* 4*d.* The following is an analysis of his Account:

	£.	s.	d.		£.	s.	d.
Constables	56	10	9	Sewers	2	7	6
Watching	106	4	9	Incidental expenses	12	14	6
Lighting	91	1	6		314	10	4
Scavenging	5	16	–	An arrear of Rate	–	9	5
Pumps and Wells	9	17	5	£.	314	19	9
Engines	22	13	11				
Sessions	7	4	–				

The sum raised for the year ending 29th October 1833, was 452*l.* 6*s.* 6*d.*, at 1*s.* in the pound.

Soke Rate. The Soke Rate is made by order of the magistrates in sessions, who direct the sum to be levied on each parish according to a rental adopted in 1816. The amount varies from year to year, and in the last year two rates at 1½*d.* in the pound each were collected. The whole sum expended in the year was 714*l.* 8*s.* 8¼*d.*, including a balance of 43*l.* 0*s.* 2½*d.* due to the treasurer at the beginning of the year. There was, however, a balance in the hands of the treasurer of 151*l.* 0*s.* 2¼*d.* at the end of the year. This expenditure includes the ordinary charges for prosecutions, inquests, gaoler's salary, &c., and the only considerable expense of an extraordinary nature appears to be the sum of 63*l.* 6*s.* 11*d.* for repairs of the gaol.

Audit of Accounts. The accounts of the chamberlain and the cashier are audited by the alderman's court, and have never been published, except on one occasion about two years ago. The accounts of the treasurer of the soke are audited by the magistrates, who generally meet on the day previous to the sessions, and go through all the items; they are on the next day exhibited to the sessions and approved; and an abstract is then published in a newspaper.

GRANTHAM.

Population.

The Population of the borough and parish of Grantham was—

In 1801	3,303	
1811	3,646	
1821	4,148	
1831	4,590	; of whom 2,216 were males, and 2,374 females.

Occupations:

Families employed in agriculture	2
Ditto trade and manufactures, &c.	510
Ditto, not comprised in above classes	360

The population of the 13 parishes and townships is 4,934.

Annual value of real property 1815 £.9,554.

Assessed Taxes for years ending 5 April	1829	£.1,841 5 6
	1830	1,861 15 –
	1831	1,832 17 6½
Parochial Assessments for years ending 25 March	1825	£.2,089 10 –
	1829	2,154 6 –

Number of Houses in 1830:

£.10 and under £.20 rent	114
20 „ 40 „	89
40 and upwards	25
Total of £.10 and upwards	228

State of the Borough and Soke.

The profits both in trade and agriculture appear to have partaken of the general depression which has prevailed throughout the kingdom. Wages are about 12*s.* a week, and the labourers, who are regularly employed, are in comfortable circumstances. The number of persons out of employ appears to be sometimes considerable. The poor's rates are about 6*s.* in the pound on two-thirds of the annual value within the town; and 2*s.* 6*d.* or 3*s.* on the same value throughout the parishes of the soke. The children appear to be very generally sent to school.

The present constitution of the corporation does not give satisfaction to the inhabitants; and many individuals stated it to be their opinions that the right of electing a common council should be given to the 10*l.* householders, and that the common council should elect the magistrates for life. They also thought that a magistrate should possess property of the value of 1,000*l.*, and a common councilman of 500*l.*

Extent of Jurisdiction.

The peculiar form of the soke of Grantham, which lies scattered in several distinct patches, each surrounded by parts of the county of Lincoln, which lie within the jurisdiction of the county magistrates, necessarily leads to inconveniences in the administration of justice. Many noblemen and gentlemen who are magistrates for the county reside within the soke, and, not being magistrates for the soke, cannot commit persons for offences in their own immediate neighbourhood. The arrangements for passing vagrants are attended with inconvenience, as they often go from the county to the soke, and the soke to the county, within the distance of a very few miles. The difficulty in ascertaining whether a crime has been committed within the limits of the soke or in the county is much enhanced by the circumstance of the soke being divided into so many small portions. The expenses of prosecution are stated to be much greater in the soke than in the county; and the soke does not contribute to the expense of the county gaol at Lincoln, although prisoners for capital offences are tried before the judges at the assizes. To remedy these evils it has been proposed that the townships of the soke should be thrown into the county, and that the jurisdiction of the corporation should extend to the limits of the existing parliamentary borough. This plan, however, would be attended with the inconvenience of detaching certain portions of the county from the ordinary jurisdiction, and including them within that of the borough. This we are not prepared to recommend under the existing constitution of the borough. On the whole we are much inclined to think that the preferable mode would be to confine the jurisdiction of the corporation to the limits of the old borough.

Local Acts.

There are no Local Acts affecting the borough or soke.

Documents.

We add the following Documents.

1. A copy of a translation of the governing charter.
2. An account of the corporation property.
3. Ditto, of the property sold within the last 50 years.
4. Ditto, of the permanent annual charges.
5. Ditto, of the general revenue and expenditure of the corporation.
6. The chamberlain's account for 1832–3.
7. Treasurer of the soke's ditto, 1832–3.
8. Account of key-bearer's trust property.
9. Table of fees in the court of record.
10. Ditto payable to the clerk of the peace.
11. Ditto payable to the justices' clerk.

Geo. Long.
John Buckle.

169

REPORT

ON

THE BOROUGH OF GREAT GRIMSBY,

(LINCOLNSHIRE.)

CONTENTS.

	Page
Limits of the Borough	2249
—— of the New Borough	2249
Charters	2249
Title of the Corporation	2249
Officers	2249
Freemen	2249
High Steward, election of	2249
Mayor	2250
Recorder	2250
Deputy Recorder	2250
Aldermen	2250
Justices of the Peace	2250
Chamberlains	2250
Coroners	2250
Common Councilmen	2250
Bailiffs	2250
Town Clerk	2250
Common Serjeant	2251
Auditors	2251
Mayor's and Bailiffs' Serjeants and Gaoler	2251
Freemen, how created	2251
Birth	2251
Marriage	2251
Apprenticeship	2251
Purchase	2251
Gift	2251
Fees on admission of Freemen	2251
Ruling Body, functions of	2251
High Steward	2251
Mayor	2251
Recorder	2251
Deputy Recorder	2251
Aldermen	2251
Justices of the Peace	2252
Chamberlains	2252
Coroners	2252
Common Councilmen	2252
Bailiffs	2252
Town Clerk	2252
Common Serjeant	2252
Auditors	2252
Mayor's and Bailiffs' Serjeants and Gaoler	2252
Freemen, privileges of	2252
Jurisdiction	2252
Court of Quarter Sessions	2252
Juries	2252
Petty Sessions	2253
Court Leet	2253
Mayor's Court	2253
Foreign Court	2253
Court of Requests	2253
Police	2253
Gaol	2253
Poor	2254
Patronage	2254
Licenses	2254
Property producing Revenue	2254
Property unproductive	2254
Property sold	2254
Debts	2254
Annual Expenditure	2255
Auditing Accounts	2255
Borough Rate	2255
Return of Ships, Duties, &c.	2255
State and Prospects of the Town	2256
Local Acts	2257
Documents sent with the Report	2257

BOROUGH OF GREAT GRIMSBY.

THE Limits of the Borough, as far as respects the jurisdiction of the civil court, and the residence of the freemen, are the same as the township of Great Grimsby; but the jurisdiction of the magistrates and the coroners extends to the parish of Great Grimsby, the township of Clee, and the hamlet of Willow-weelsby. Limits of the Borough.

By the Boundary Act the Parliamentary borough consists of the parishes of Great Grimsby, Great Coates, Little Coates, Bradley, Laceby, Waltham, Scartho, Clee-with-Weelsby, and Cleethorpes. Limits of the new Borough.

This is a corporation by prescription, and there is properly no governing Charter; but the appointment of corporate officers, and many other arrangements of the corporation are, in a great degree, regulated by the charter 4 James II. The following list was given of charters and documents in the possession of the corporation: Charters.

Part of an inspeximus of an old charter of Northampton, at the request of Grimsby corporation.
Henry the Third's grant.
A license 16th Edward relative to the chantry.
Ditto 19th ditto - - ditto.
Mr. Tomlinson's deed, and a power of attorney respecting the same.
A charter of Edward VI. for founding a grammar school with chantry lands.
A charter 15th Richard II.
A charter 37th Edward III.
Confirmation King John's charter, 1 & 2 Edward, 1278.
A charter 40th Henry III. reducing fee-farm rent from 100 *l.* to 50 *l.*
A charter 12th Edward II.
A confirmation of Henry VIII.
Elizabeth's charter (4th Elizabeth) in part containing an inspeximus of several former grants.
A charter 15th September 1688, 4th James II.
A pardon of Edward VI.
An ordinance of 18th Henry VII.
A patent 17th Charles II. respecting the repairs of the haven.
Two commissions, Elizabeth, for gaol delivery.
Consolidation of Grimsby parishes.
Other charters have from time to time been granted, but they are not now in the possession of the corporation.

The title is "Mayor and Burgesses of the Town and Borough of Great Grimsby, in the County of Lincoln." Title of the Corporation.

The officers of the corporation named in the charter 4 James II. are, Officers named in the Charter.

High Steward.
Mayor.
Recorder.
Twelve Aldermen.
Two Justices of the Peace.
Two Chamberlains.
Two Coroners.
Twelve Common Councilmen.
Two Bailiffs.
Town Clerk.

The Common Serjeant is named in a charter 2d James II. but not in 4th James II.

The following officers are not named in the charter: Officers not named in the Charter.

Six Auditors.
Mayor's Serjeant.
Bailiff's Serjeant.
Gaoler.

There are 342 resident freemen. When a freeman ceases to reside within the borough, his freedom is suspended; but he is re-admitted on his return (on giving notice) after a year's residence, and paying scot and lot, and a fine of 1 *s.* Freemen.

The High Steward is elected for life by the mayor, aldermen, common council and freemen; and is removable by the King in council. High Steward, election of.

GREAT GRIMSBY.

Mayor, election of.

The mayor is elected annually, in the following manner: two of the aldermen are put in nomination, or, as it is here expressed, "put on the light," by the mayor, aldermen and common council; and a majority of the mayor, aldermen, common council and freemen, elect one of them mayor for the year. The election of mayor has for many years been made subservient to the political interest of the recorder, who is considered to be the patron of the borough. Various means have been adopted to secure the election of a person attached to his interest; and arrangements for that purpose have been on all occasions made by the agent of the patron. No rule of rotation or seniority among the aldermen has been at all attended to. In one instance the same person served the office two years running, although the mayor is the returning officer of the borough; and on former occasions one of the aldermen has been put on the light in two successive years. Sometimes a person who is known to be obnoxious to the freemen, is put in nomination for the purpose of depriving them of their choice, and compelling them to elect the favoured candidate. This manœuvre has for many years past succeeded on all occasions, with one exception. In 1819 the obnoxious individual was elected. The election takes place in the church, and the scenes of tumult and indecency occasioned by it were greatly, and justly, complained of by the curate of the parish. The mayor must reside within the township. He is removable by the King in council.

Recorder, election of.

The Recorder is elected for life by the mayor, aldermen, common councilmen and freemen; but the election must be confirmed by the Crown; and he is removable by the King in council.

Deputy Recorder, appointment of.

The recorder may appoint a Deputy to act for him during his pleasure. The present deputy recorder, who is also deputy high steward, is an attorney. This office has been for many years past held by an attorney.

Aldermen, election of.

The Aldermen are elected for life by the mayor, aldermen, common councilmen and freemen, from the common councilmen, and are removable in the same manner as the mayor and recorder. They are bound to reside, and an alderman vacates his office by a continued non-residence of three months. The recorder has for the last fourteen years been uniformly successful in procuring his own political adherents to be elected aldermen. Formerly there was a struggle between two political parties in the corporation; and that which is now triumphant, was at one time unsuccessful. During the contest, 500*l.* or 600*l.* have been expended by each party in the election of an alderman. These sums were spent in treating and bribing the voters. At present about 50*l.* is expended by every new alderman on his election, of which sum 2*s.* 6*d.* is usually given to each freeman, and the rest expended in a dinner. There has been a vacancy for one and a half or two years, owing to a difficulty in finding any one willing to incur the expense of the election. One of the aldermen, who, at the time of his election, was a supporter of the prevailing political interest, is now opposed to it; he has never been put upon the light as a candidate for the office of mayor.

Justices of the Peace, election of.

Four aldermen who have served the office of mayor are put on the light by the mayor, aldermen and common councilmen, and two of them are elected by the mayor, aldermen, common councilmen and freemen, justices of the peace for one year. By the charter of James II. the senior alderman is always to be a magistrate, but this is not regarded in practice. The same political influence which regulates every thing in this corporation, generally prevents those also who entertain political views adverse to the patron of the borough from being elected justices of the peace, but one of them has frequently been neutral. Formerly three aldermen were justices, but that has not been the case for the last 50 years. The town clerk stated, that he thought promises of future support had sometimes been given by voters on having public-house licenses granted to them.

Chamberlains, election of.

The Chamberlains are elected for a year at the court leet by a jury of twelve impannelled by the chamberlains, from the aldermen, common councilmen, or freemen. The jury invariably select two of their own body, who are attached to the prevailing political party. They are removable by the King in council.

Coroners, election of.

The mayor of the preceding year is, by custom, always one of the Coroners, the other is elected from the aldermen who have passed the chair by the leet jury. They hold their office for a year, and are removable by the King in council.

Common Councilmen, election of.

The Common Councilmen are elected for life by the mayor, aldermen, common councilmen and freemen, from the freemen, and are removable by the King in council. They must be resident. A great majority of the common council are attached to the prevailing political interest. It is usual for persons on their election into the common council, to pay money to the freemen. There is now a vacancy in the common council, and it is understood that vacancies in this body will not be filled up till the result of the present investigation into the state of municipal corporations is known.

Bailiffs, appointment of.

The senior common councilman and the senior freeman, who have not already served, take the office of Bailiffs as a matter of course, for one year. They are removable by the King in council.

Town Clerk, election of.

The Town Clerk is elected for life by the mayor, aldermen, common councilmen and freemen, but his appointment must be confirmed by the King. He is always an attorney. He holds the office of clerk of the peace, clerk to the magistrates, and treasurer of the borough-rate, to which he is appointed by the magistrates.

The

GREAT GRIMSBY.

The Common Serjeant is elected by the leet jury for a year, and is always a freeman. He is removable by the King in council. — Common Serjeant, election of.

Two aldermen, two common councilmen and two freemen, are elected Auditors every year by the leet jury, who generally elect members of their own body. — Auditors, election of.

The Mayor's Serjeant is appointed by the mayor, and the Bailiffs' Serjeant by the bailiffs, annually, from the freemen. The Gaoler is appointed by the magistrates during pleasure, and is generally the bailiffs' serjeant. — Mayor's and Bailiffs' Serjeants, and Gaoler, appointment of.

The right to be admitted a Freeman is by birth, marriage, apprenticeship, purchase or gift. — Freemen, how created.

All the sons of freemen born within the township, and at a time when the father was resident, are entitled to their freedom at 21 years of age. — By Birth.

The husband of a freeman's daughter born under similar circumstances, or of the widow of a freeman who was on the list at the time of his death, is entitled to his freedom when his wife is of the age of 21 years. — By Marriage.

Freedom by apprenticeship is acquired by seven years' service under an indenture with a freeman resident within the township. The indenture must be inrolled within three months of its execution. The residence of the apprentice in the township is not essential. — By Apprenticeship.

The admission to freedom by purchase has fallen into disuse; there has been no instance of it within the last fifty years. It appears to be understood that persons would not now be allowed to purchase their freedom, by reason of such admissions lessening the value of the existing freemen's right of common. — By Purchase.

It is usual to admit the candidates for the parliamentary representation of the borough to their freedom by gift. They generally give a gratuity of 30 guineas, but at the election in 1831 nothing was paid by the candidates. There has been no other instance of admission by gift since 1807, when the freedom of the borough was given to a gentleman who was then appointed town-clerk. — By Gift.

The Fees paid on the admission of freemen amount to 1*l.* 2*s.* 6*d.* besides the stamp. The number of admissions annually in ordinary years is 6 or 7; but at the time of elections great numbers are admitted. At the election in 1818 the number of admissions was 125; 111 at that in 1826; 104 in 1830; and 30 in 1831. In 1833 there were no admissions. Since the passing of the Reform Act very few persons have taken up their freedom. There are now 30 or 40 residents entitled to do so. — Fees on Admission of Freemen.

The mayor, aldermen and common council have authority to make bye-laws, but the mayor and recorder, or his deputy, must be present. No bye-laws have been made within the last twenty years. — Ruling Body, functions of.

The general governing authority of the corporation resides in the court of the mayor and burgesses, of which all the freemen are members, and by whom all matters concerning the general interests of the corporation are regulated; one of the chamberlains, one of the coroners, and one of the bailiffs must be present. The mayor claims by prescription, and exercises the right of refusing to put any question proposed in this assembly, and therefore the passing of any measure, however beneficial, may be prevented by the single opposition of the individual who holds the office of chief magistrate of the borough for the time being. The mayor has lately refused to summon a court, notwithstanding a requisition signed by 205 burgesses. The question for consideration was one of great interest to the burgesses, whether a grant of certain corporation lands should be made to an individual. The ground of refusal was, that the person in question would not come to the mayor's terms; and as the latter had power to prevent any question being put, and had resolved not to put the question, he refused to call the court. A court had previously been held on the same subject, and dissolved on account of tumultuous proceedings having taken place.

The duty of the High Steward is to preside by himself or deputy, with the mayor and bailiffs, at the court leet. — High Steward, functions of.

The functions of the Mayor are to summon, preside at, and adjourn or discharge all courts of mayor and burgesses, and to determine what question shall be submitted for the consideration of the court. He is judge of the mayor's court of pleas, and a quorum justice of the peace during his mayorlty. He is returning officer of the Member of Parliament for the borough. He and the bailiffs are lords of the manor of Grimsby and Clee, and preside as such, together with the high steward, at the court leet. He has a salary of 30*l.* a year, and the privilege of fishing and fowling, which is now of no value. — Mayor, functions of.

The Recorder is a quorum justice of the peace. His duty is to assist the mayor and corporation as their legal adviser, and to attend at the quarter sessions of the peace as a magistrate. — Recorder, functions of.

The Deputy Recorder performs the duties of his principal in his absence. — Deputy Recorder, functions of.

The functions of the Aldermen are to elect annually, with the common councilmen, two aldermen on the light for mayor, and four aldermen on the light for justices of the peace, and — Aldermen, functions of.

GREAT GRIMSBY.

and with the mayor, recorder or his deputy, and the common council, to make bye-laws. They have the privilege of stocking the commons.

Justices of the Peace, functions of.

The Justices of the Peace execute the ordinary duties of magistrates within the borough and liberties.

Chamberlains, functions of.

The duty of the Chamberlains is to receive rents, freehold fines, sums paid for the admission of freemen, and all other money paid to the corporation, and to pay salaries and all other disbursements. One of them must be present to constitute a court of mayor and burgesses. They receive a salary of 10*l.* a year each.

Coroners, functions of.

The Coroners are the presiding officers of the court for the election of mayor, justices and bailiffs. They take inquests within the borough and liberties; one of them must be present at all meetings of the mayor and burgesses. They receive the statutable fees, which average about 6*l.* a year.

Common Councilmen, functions of.

The duty of the Common Councilmen is, with the mayor and aldermen, to elect two aldermen on the light for mayor, and four aldermen on the light for justices; they have the privilege of stocking the commons.

Bailiffs, functions of.

The Bailiffs are judges of the foreign court of pleas, collect and pay the fee-farm rents of the corporation, act as sheriffs for the borough and liberties, are joint lords of the manor of Grimsby and Clee, with the mayor, and with him and the high steward preside at the court leet. The presence of one of them is required at every court of mayor and burgesses. Each of them receives annually the sum of 12*l.* 10*s.* given by 36 Geo. 3, c. 98, An Act for widening &c. the Haven of Great Grimsby, in lieu of tolls. They also receive some very small fees for executing the process of their court.

Town Clerk, functions of.

The Town Clerk is the law officer of the corporation. He is also clerk of the peace, clerk of the magistrates, and treasurer of the borough rate. He receives a salary of 20*l.* a year; a fee of 2*s.* 6*d.* on every admission to freedom; 2*s.* 6*d.* for every enrolment of an apprentice's indentures; 1*s.* for every notice of a freeman's return to residence in Grimsby; fees as secondary of the mayor's and bailiff's courts, which are now nearly disused, and fees as clerk to the magistrates.

Common Serjeant, functions of.

The Common Serjeant is an officer of the mayor and burgesses' court, and mace-bearer. It is also his duty to execute the process of the mayor's court. He receives a salary of 10*l.* a year.

Auditors, functions of.

The duty of the Auditors is to audit the accounts of the chamberlains.

Mayor's and Bailiffs' Serjeants, and Gaoler, functions of.

The Mayor's Serjeant summons the mayor and burgesses' court, by direction of the mayor. He is an officer of that court, and a mace-bearer. His salary is 10*l.* a year.

The Bailiffs' Serjeant executes the process of the bailiff's court, is an officer of the mayor and burgesses' court, and a mace-bearer. His salary is 10*l.* a year; he also receives 15*l.* a year as Gaoler.

Freemen, privileges of.

The Freemen or burgesses are a constituent part of the court of the mayor and burgesses; and those who reside and pay scot and lot have the right of voting for Members of Parliament for the borough. Freemen paying scot and lot have the right of putting stock upon the commons belonging to the corporation. By an order of the mayor and bailiffs' court made fifteen or twenty years ago, every freeman who attends at the election of the mayor receives 5*s.* for his loss of time. The freemen generally attend.

Jurisdiction.

It is disputed whether the criminal Jurisdiction of the corporation is exclusive.

Courts, Quarter Sessions.

A Court of Quarter Sessions is regularly held every quarter before the mayor, the recorder or his deputy, and the borough justices. Felonies not capital and misdemeanors are tried. The deputy recorder always attends when there are any prisoners to try, and the sessions have been sometimes adjourned for a week for his accommodation. The mayor always presides, and the two borough justices usually attend. The court has sometimes sentenced prisoners to transportation for seven years, but never for a longer term; persons accused of capital and other serious offences are sent to Lincoln for trial. On an average two prisoners a year are tried. The average expense of a prosecution is about 1*l.* 7*s.* 4*d.*

Juries.

The bailiffs send yearly to the town clerk a list of the grand and petty Jury, which list is formed at their discretion. The grand jury, who are of the highest class, are usually taken from Grimsby only; two of the petty jury are always summoned from Clee, and two from Weelsby. This mode of selecting the jury appears highly objectionable. There is no regular rotation, and the selection of the jurors is left entirely to the discretion of the bailiffs. As they are only in office for the year, they do not possess the means of ascertaining who has served the office in preceding years; and it has frequently happened that the same individuals have been called on to serve, while other persons equally eligible, and who ought to bear their share of this public duty, are left out for a long period. Besides, it was stated that, as one of the bailiffs is always the senior freeman who has not served the office, it generally happens that he is inefficient from age for the fulfilment of its duties. A still stronger objection is, that this mode of selecting juries gives the bailiffs an opportunity of packing them for a particular occasion. We have indeed no evidence that this has ever been done, but we think that no such power should be intrusted to any one.

GREAT GRIMSBY.

The inquest juries are selected by the coroners, and generally from the same body as the petty jury.

Petty Sessions.

Petty Sessions are held every Thursday at the town clerk's office; but when a considerable number of people have attended, the sessions have been adjourned to the town hall. The mayor and the two justices generally attend. The cases which are most frequently brought before the magistrates are assaults, which are settled without sending them to the quarter sessions. Serious cases are sent there, but are of rare occurrence.

Court Leet.

The Court Leet is held before the mayor, bailiffs and the deputy of the high steward, all of whom invariably attend. No other business is transacted, but presentments of nuisances and encroachments, and the appointment of constables. The court was formerly held twice a year, but for the last twenty years has been only held yearly. No inconvenience appears to be felt from this change. There are two leet juries; one for the appointment of the officers as specified above, which is annually selected from the freemen by the chamberlain, on the recommendation of the town clerk, who is the agent of the patron of the borough, and recommends only those persons in whom he can place political confidence. The other jury is appointed for the presentment of nuisances, &c., for which purpose they perambulate the town. Both juries are selected from the burgesses by the bailiffs at their discretion.

Mayor's Court.

The Mayor's Court was formerly held every Tuesday, and actions of every description may be tried in it. Of late years it has fallen entirely into disuse, no process having issued from it for the last 8 years. The following reasons have been given to account for this; the inconvenience arising from the court having no power to procure the attendance of witnesses living beyond their jurisdiction; the attornies not understanding the practice of the court, and the practice being incomplete; and the fees being too small to give the attornies a remuneration for their services.

This court has the power of arrest. The defendant must be a freeman.

Foreign Court.

The Foreign Court is held before the bailiffs for the trial of causes wherein the defendant is not a freeman. The defendant may be arrested. The court used to sit every Friday, and formerly there was a great deal of business both in this and the mayor's court. There has been only one trial in the foreign court for the last 18 years. A writ of inquiry was executed some years ago. The pleadings in this court are the same as in the courts at Westminster. Process and execution are confined to the township of Great Grimsby. Great inconvenience results from this circumstance. It seems that there were formerly attornies particularly appointed to practise in these courts, but now it is understood that all attornies of the superior courts may practise in them. The jurisdiction of both courts is exclusive; but this here, as elsewhere, is totally disregarded.

Court of Requests.

A Court of Requests for the recovery of small debts and demands not exceeding 5*l.*, was established by an Act of Parliament, 46 Geo. III. at Great Grimsby. The high steward, mayor, aldermen, recorder and town clerk are commissioners by virtue of their respective offices. The court is held weekly, and 10 causes are tried in a week on an average. The expense when the debt is under 10*s.* is 3*s.*; when under 2*l.*, 6*s.*; above that sum 10*s.* 6*d.* The jurisdiction is not exclusive, but persons suing for sums under 40*s.* in the superior courts, for causes of action arising within the jurisdiction of this court, are restricted in their right to costs. The court of requests sits at Great Grimsby, but its jurisdiction extends into the adjoining country, and in one direction on the north as far as 17 miles. This court is found very beneficial.

Police.

The local Police consists of a chief constable, three petty constables, appointed for the town, and one each for Clee and Wellow-weelsby. The chief constable, and those for Clee and Wellow-weelsby, are appointed by the magistrates at the quarter sessions; the three petty constables by the leet jury for selecting officers. The custom was for the inhabitants of Clee and Wellow-weelsby to send each a person to serve the office of constable, and for the magistrates to swear him into the office. Since 1826 or 1827 those places, disputing the right of the magistrates, have ceased to send any one to the sessions, and no one has been sworn in for the two districts. The chief constable is generally one of the superior tradesmen of the town, and always a freeman, though not necessarily so. Persons are found desirous of serving this office because it exempts them from parochial offices. The three petty constables are usually smaller tradesmen, and the constables for the township were commonly farmers. They attend to their duty at night when called on to do so. There is no regular night-watch. No salary is paid to the constables, their fees are regulated by the county tables. They are paid when called on to act in the night. The police is found sufficient on ordinary occasions. The inhabitants have willingly assisted on extraordinary occasions as special constables. At elections it has been usual to swear in as special constables persons who are not freemen nor concerned in the election, and they have done their duty impartially.

Gaol.

The Gaol of this borough consists of four cells and a yard. The dimensions of that for male criminals is 12 feet by 12 feet; that for male debtors, 13 feet by 8 feet; and the women's room, 10 feet by 7 feet. The yard is 42 feet by 15 feet. It is used in turn by the male and female prisoners, each for a certain number of hours. The male debtors, and the prisoners for felony and misdemeanor, all go into the yard together. Female prisoners, whether debtors or criminals, untried or convicted, live constantly together. For a long time past however not more than two women have been inmates of the gaol at the same time. There is no employment for any of the prisoners. No chaplain attends the gaol, and the prisoners have neither bibles nor prayer-books, nor do they receive any kind of religious instruction.

GREAT GRIMSBY.

instruction. The magistrates very seldom visit the gaol, and the gaoler expressed a doubt whether they had done so once in the last two years. The mere statement of these facts seems to render all comment superfluous. Complaints were made about eight years ago by a prisoner to the Secretary of State of the smallness of the rooms and yard, and the general state of the prison, and a Return was called for by the Home Office, but nothing has been done towards improving it. The greatest number of prisoners in the gaol at one time, in the year 1832, was 5; and 18 the greatest number committed in any of the years 1830, 1831, 1832. Debtors sent by the court of requests are a great majority of the prisoners. The plaintiffs allow them 4*d.* a day for subsistence, but the borough pays nothing. The weekly cost of the other prisoners per head is 3*s.* 2*d.* Confinement in this gaol does not appear to be considered a punishment.

Poor.

The corporation do not interfere in the management of the Poor.

Patronage.

The only Patronage enjoyed by the corporation is the appointment of two masters of the grammar school, and one of the preparatory school.

Licenses.

There are 29 public-houses within the borough, none of which belong to any of the magistrates, and only one or two to members of the corporation. One of the magistrates is the occupier of one of the principal inns in the town, and the mayor for the present year is a maltster. As neither of them can act as magistrates in the licensing of public-houses, the deputy recorder attends on licensing days, and no inconvenience appears to arise from the disqualification of these two magistrates. Licenses are granted to freemen and non-freemen without distinction.

Property, producing Revenue.

The permanent annual revenue of the corporation previously to a new letting of lands in October 1833, amounted to the sum of 1,018*l.* 15*s.* 10½*d.* The major part of this sum, 618*l.* 7*s.* 4½*d.* was the rent of 233 A. 0 R. 22 P. of meadow land in Great Grimsby. These lands are always let by auction, but to freemen only. The leases are for seven years, and the corporation seal is always affixed to them at a court of mayor and burgesses. The town clerk stated in his evidence (and was not contradicted), that these lands are let at a higher rent than other lands of equal fertility in the neighbourhood, and he thought that the lessees were losers by their leases. A fine is paid by the lessees when the leases are granted. The fine in 1826 was 6*l.* an acre, and in May 1832, when the same lands were again leased, the new leases to commence from October 1833, a fine of 7*l.* an acre was paid; a great deduction of rent however took place, 418*l.* 1*s.* 5½*d.* being the new rent.

The corporation derive an annual revenue from certain lands let on building leases for 99 years, and from the rent of a school-house and garden let to a yearly tenant, amounting in the whole to about 73*l.* a year.

A certain number of allotments have been from time to time granted by the corporation to the freemen and others, in the first instance as leaseholders, and ultimately in fee simple on the payment of a perpetual rent charge. These rent charges amount to about 295*l.* a year. The sum of 7*l.* 9*s.* was received in the last year from the mayor, aldermen, common councilmen and freemen for the privilege of putting stock on the commons belonging to the corporation, which extend over 200 acres. The whole of the corporation property has been derived by grant from the Crown. Another source of revenue is the interest at 5 per cent. of five bonds for 100*l.* each, secured on the tolls of the Grimsby Haven Company; and which have precedence in payment of all other securities granted by the company.

The corporation have a rent charge of 7*l.* a year, granted for the purpose of being paid towards maintaining a schoolmaster; and another of 5*l.*, for providing bread for the poor; both of which are applied accordingly.

Property, unproductive.

The following property in the hands of the corporation is entirely unproductive; 25 shares, 100*l.* each, in the Grimsby Haven Navigation; and two annuities for 999 years, one of 35*l.* and the other of 146*l.*, arising and payable out of the tolls of the same, and arrears.

Property sold.

The sums received by the corporation on the sale of property within the last 50 years amount to 4,519*l.* 19*s.* 8½*d.* The perpetual rents reserved on this property are 252*l.* 3*s.* 3¾*d.*

Debts.

The corporation owe a debt of 2,400*l.* secured by mortgage on an allotment of land made under an Inclosure Act, on which they pay interest at 4½ per cent. This debt was contracted for the purpose of defraying the expenses of inclosing 900 acres of common land, on which the freemen had a right of depasturing cattle. It was agreed at a common hall, that an application should be made to Parliament for an Inclosure Act, but no information was communicated to the freemen respecting the probable expense of the inclosure; and it was stated by the town clerk that if they had known how large a sum would be expended, and also that their right of common would be restricted by the inclosure, they would not have given their consent to the proposal. The share of the expense of the inclosure which falls on the corporation amounts to nearly 1,700*l.* and an allotment of 80 acres of land is given by the Act in lieu of the common, by which the freemen's right of stocking is materially diminished; as the allotment will not support nearly so much stock as the freemen were entitled to turn on the common previously to the inclosure. This measure was brought forward in the common hall shortly after an election, when the freemen had been paid what is called the usual compliment; viz. 20*l.* for their votes. The freemen appear to have been unfairly dealt with in this business, in not having been informed of the probable effect of the inclosure. The value of the corporation property, however, is estimated to have been increased by the inclosure more than 1,600*l.* The recorder and other landowners appear to have been materially benefitted by it. The commissioner under the Act was the land steward of the recorder and of another landed proprietor.

It appears by abstracts of the accounts of the chamberlains for the last nine years with which we have been furnished, and which will accompany this Report, that the income of the corporation for that period has been about equal to their expenses. The following analysis has been given by the town clerk of the ordinary expenditure:— Annual Expenditure.

	£.	s.	d.
Fee-farm Rents paid to the Crown	14	14	–
Salaries	130	–	–
Ditto Schools	359	–	–
Corn Rent in lieu of Tithes	328	18	9
Interest on Mortgage	108	–	–
Poor's, Highway and Church Rates	50	–	–
Election of Mayor	80	–	–
Ordinary Expenses for Repairs, &c.	60	–	–
£.	1,130	12	9

This sum exceeds what has been already stated to be the permanent annual income of the corporation, but their revenue has been considerably increased in particular years by occasional payments. In 1824–5 more than 1,600*l.* was received for fines on leases and grants of land, and in 1831–2 more than 600*l.* The sums received on the admission of freemen in 1825–6, and in 1829–30, exceeded 100*l.* each year. The account for the last year was not made up when we visited Grimsby.

None but trifling expenses are incurred by the corporation, except under the direction of the court in common hall assembled.

From 1805 to 1811, no Accounts are to be found in the books of the corporation. Since 1814 the accounts have been regularly published, and a copy is sent to every freeman. The appointment of auditors has been already mentioned. They have sometimes demands against the corporation. In 1826, out of the six auditors, the two chamberlains and one other had bills on the corporation. The chamberlains have the selection of the tradesmen employed. Accounts auditing.

A Borough Rate in the nature of a county rate is made by the magistrates in sessions. Till 1826, Grimsby paid only two-fifths of this rate, the rest having been defrayed by Clee and Willow-weelsby. Since that period those places have refused to pay, and no means have been adopted to compel them. The average sum annually raised is said to be about 50*l.* of which about half is expended for the maintenance of prisoners, gaoler's salary, and other matters incident to the gaol. No account has been audited since 1827. Borough Rate.

PORT OF GRIMSBY.

Return of Ships, Duties, &c.

A RETURN of the Number and Tonnage of SHIPS cleared Inwards and Outwards from and to this Port; distinguishing those engaged in Foreign Trade from those engaged Coastwise, including Ireland, for the Twenty Years ending in 1832.

YEARS	FOREIGN TRADE Inward.		FOREIGN TRADE Outward.		BRITISH SHIPS belonging to the Port.				COASTWISE.							
					Inwards.		Outwards		English.				Irish.			
									Inwards.		Outwards.		Inwards.		Outwards.	
	Number.	Tonnage.	Number.	Tonnage.	Number.	Tonnage.	Number.	Tonnage.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.
1813	14	3,116	2	611	2	478	–	–	25	1,605	30	1,916	–	–	–	–
1814	28	5,775	3	437	1	335	–	–	27	1,720	54	3,240	–	–	–	–
1815	53	10,632	8	787	1	335	–	–	23	1,480	41	2,560	–	–	–	–
1816	15	2,948	7	793	1	335	–	–	19	906	46	2,760	–	–	–	–
1817	35	4,979	6	705	1	335	–	–	22	1,320	50	2,910	–	–	–	–
1818	52	6,567	9	1,005	1	335	–	–	26	1,560	54	3,440	–	–	–	–
1819	96	11,859	17	1,764	1	335	–	–	24	1,400	49	2,940	–	–	–	–
1820	79	10,212	13	1,732	1	335	–	–	23	1,382	60	3,604	–	–	–	–
1821	63	5,988	3	469	–	–	–	–	27	1,625	65	3,902	–	–	–	–
1822	78	9,217	15	1,262	–	–	–	–	32	1,921	82	4,920	–	–	–	–
1823	87	9,278	19	2,412	–	–	–	–	37	2,597	94	5,425	–	–	–	–
1824	218	21,033	19	2,097	–	–	–	–	33	1,923	86	5,120	–	–	–	–
1825	142	13,388	7	908	–	–	–	–	26	1,570	54	3,219	–	–	–	–
1826	103	11,654	6	665	–	–	–	–	24	1,002	43	2,143	–	–	–	–
1827	106	11,936	4	768	–	–	–	–	23	1,563	33	2,403	–	–	–	–
1828	95	11,907	4	834	–	–	–	–	18	961	64	3,341	12	1,544	–	–
1829	82	11,237	7	1,148	–	–	–	–	15	822	38	2,141	3	251	–	–
1830	73	10,815	6	1,058	–	–	–	–	20	980	90	5,238	1	128	–	–
1831	101	14,600	2	140	–	–	–	–	29	1,763	88	4,903	–	–	–	–
1832	49	6,479	2	116	–	–	–	–	27	1,620	84	4,310	–	–	–	–

Custom House, 4 November 1834. *Geo. Cooper*, Collr.

GREAT GRIMSBY.

PORT OF GRIMSBY.

A STATEMENT of the Receipt of DUTIES at this Port in each of the Twenty Years under mentioned:

	£.	s.	d.		£.	s.	d.
1813 - - - -	87,276	2	8	1824 - - - -	84,709	2	3
1814 - - - -	106,297	2	1	1825 - - - -	35,311	19	2
1815 - - - -	110,809	–	–	1826 - - - -	31,555	5	8
1816 - - - -	70,903	2	7	1827 - - - -	17,162	17	4
1817 - - - -	101,072	15	5	1828 - - - -	13,170	19	1
1818 - - - -	127,847	15	–½	1829 - - - -	24,029	9	11
1819 - - - -	79,085	–	6	1830 - - - -	19,421	17	8
1820 - - - -	101,093	17	4	1831 - - - -	14,514	9	5
1821 - - - -	46,117	6	3	1832 - - - -	7,397	4	1
1822 - - - -	76,082	4	5				
1823 - - - -	56,001	16	3	TOTAL RECEIPT -	£.1,209,859	7	1½

Custom House, 4th Nov. 1834. *Geo. Cooper*, Collector.

State and Prospects of the Borough.

The parish of Great Grimsby contains 1,700 acres of land, the township of Clee, 1,112, and the hamlet of Willow-weelsby, 860:—Total, 3,672.

The population of Grimsby was, in

1801 - - - - - - -	1,524
1811 - - - - - - -	2,747
1821 - - - - - - -	3,064
1831 - - - - - - -	4,225, of whom 2,058 were males, and 2,167 females.

Occupations:

Families employed in agriculture - - - -	50
Ditto, trade and manufactures - - - -	342
Ditto, not comprised in above classes - - -	430

The annual value of real property was estimated in 1815 at 5,825 *l.*, and is stated to have been, in 1833, 7,418 *l.* 14*s.* 3*d.*

The assessed taxes for the years ending 5 April—

1829, amount to - - - -	£.433	1	7½
1830 „ - - - -	422	3	7
1831 „ - - - -	461	5	10
1832 „ - - - -	516	14	2
1833 „ - - - -	491	14	6

The parochial assessments for the years ending March 25th—

1825, amount to - - - -	£.799	3	–
1829 „ - - - -	981	4	–
1831 „ - - - -	1,143	10	–

The number of houses and land valued at 10 *l.* and over, in

the old borough, is about - - - -	189
new ditto - - ditto - - - -	333

The number of electors registered in 1832 - - - - -	656
Ditto - freemen - - - - - - - -	353
Persons occupying houses of the value of 10 *l.* and upwards -	79

The great increase of the population, and the advancing prosperity of this borough, appear to have been mainly occasioned by the new haven which was completed in 1800. Before this event the income of the corporation was extremely small, amounting to only 117 *l.* 10*s.* 10½*d.* A great increase of trade has resulted from the making of the haven; and the revenue of the corporation has been very much increased by a large quantity of land having been let and sold for building. Trade, however, does not appear to have increased in any great degree within the last 10 or 15 years.

A few years ago the town was lighted at the expense of the corporation, but the lighting has been discontinued. The expense of erecting pumps, making sewers and paving the town, has been defrayed by the corporation. The pavements and sewers are kept in repair partly by the corporation and partly by the parish. The town is well supplied with water.

All the children of freemen may be educated for nothing; but the other children cannot enjoy this advantage, except at the Sunday schools; most of the children, however, appear to be educated. The wages of labour are high; labourers employed in shipping earning from 12*s.* to 18*s.* a week, and agricultural labourers about 12*s.* a week; except in harvest time,

time, however, there are generally from 20 to 30 unemployed labourers, and sometimes a much larger number. The poor's rates are about 5*s.* in the pound on an assessment of two-thirds of the rack rent.

After what has been already stated respecting the mode of election by putting candidates on the light, no remark seems to be necessary as to the very objectionable nature of that practice. It is decidedly disapproved of by many of the respectable inhabitants of the town. Many intelligent individuals expressed opinions favourable to the extension of the municipal suffrage.

Local Acts.

The following is a list of the local Acts relating to the borough.

36th Geo. III. c. 98. "An Act for widening, deepening, enlarging, altering and improving the Haven of the Town and Port of Great Grimsby, in the County of Lincoln."

By s. 93, Grimsby Corporation Tolls are extinguished.

39th Geo. III. c. 70. "An Act for enabling the Grimsby Haven Company to finish and complete the Navigation of the said Haven, and for amending an Act passed in the thirty-sixth year of the reign of his present Majesty for widening, deepening, enlarging, altering, and improving the Haven of the Town and Port of Great Grimsby, in the County of Lincoln."

46th Geo. III. c. 47. "An Act for the more speedy and easy recovery of Small Debts in the Town and Borough of Great Grimsby, and the Liberties thereof, and in the several Parishes and Places therein mentioned, in the County of Lincoln."

6th Geo. IV. c. 114. "An Act for amending and rendering more effectual two Acts of the thirty-sixth and thirty-ninth years of his late Majesty, for improving the Haven of Great Grimsby, in the County of Lincoln."

7th and 8th Geo. IV. c. 18. "An Act for dividing, inclosing and exonerating from Tithes, Lands in the Parish of Great Grimsby, in the County of Lincoln."

Documents sent with the Report.

We send the following Documents with the Report:

1. A copy of the charter 4th Jas. II.
2. A list of the names, &c. of the officers of the corporation.
3. Accounts of the property of the corporation both before and after the granting of the new leases.
4. Account of property sold within the last 50 years.
5. Abstracts of the corporation accounts from 1823–4 to 1831–2, inclusive.

Geo. Long.
John Buckle.

REPORT

ON

THE BOROUGH OF HARWICH,

(ESSEX.)

CONTENTS.

	Page.
I. Limits, Extent and Population	2261
II. Incorporation and Charters	2261
2 Jac. I.	2261
1 Car. II.	2261
17 Car. II.	2261
III. Corporate Body and Constitution	2261
Title	2261
Enumeration of Officers and Freemen	2261
1. Officers composing the Council or Governing Body	2261
Mayor	2262
Predecessor Mayor	2262
Aldermen	2262
Capital Burgesses	2262
2. The Common Council	2263
3. Officers appointed by the Council,	2264
Recorder	2264
High Steward	2264
Town Clerk	2264
Coroner	2264
Chamberlain	2265
Clerk of the Market	2265
Serjeants at Mace	2265
Water Bailiffs	2265
Gaoler	2265
Borough Treasurer	2265
High Constable	2265
Keeper of the House of Correction	2265
Town Crier	2265
4. Freemen	2265
Title to the Freedom	2265
Fees on Admission	2265
Privileges	2265
IV. Jurisdiction	2266
Extent	2266
Magistracy	2266
Courts	2266
1. Sessions	2266
Juries	2266
Rate	2266
Petty	2267
2. Civil	2267
3. Admiralty	2267
Police	2269
Gaol	2269
Licenses	2269
V. Property	2269
1. Lands and Buildings	2269
2. Market Tolls	2270
3. Port Dues	2270
Income	2271
Debt	2271
Expenditure	2271
Audit	2273
Alienations	2273
VI. Patronage	2273
Grammar School	2273
Charities	2273
VII. State of the Town	2273
Population	2273
Occupation	2273
Houses	2273
Parliamentary Constituency	2274
Property	2274
Local Taxation	2274
Trade	2275
Local Acts	2276
VIII. Summary and Observations	2276
XI. Documents	2279

BOROUGH OF HARWICH.

I. LIMITS, EXTENT and Population.

THE Borough of Harwich is co-extensive with the two parishes of Saint Nicholas and Dovercourt. It contains an area of about 2,060 statute acres, with a population of 4,297 inhabitants.

A portion of the harbour is subject to the corporate jurisdiction of Harwich, but the greater part to the jurisdiction of Ipswich. The boundary line is marked in the accompanying Map (marked A.); and some facts and observations relating to this boundary are reserved for another head of my Report. (*See* "Jurisdiction—Admiralty."

II. INCORPORATION and CHARTERS.

Harwich is a borough by prescription; and its prescriptive rights, as well as those derived from various early charters and letters patent, are confirmed in a charter granted by James I. in the second year of his reign. The more ancient charters are no longer extant among the muniments of the corporation, and I am therefore unable to trace its history; but the following is a list of such as are known to the existing authorities:— 2 Jac. 1.

A Charter dated 13 Edward II.
16 Edward III.
1 Richard II.
1 Henry IV.
1 Henry VI.
1 Edward VI.

The charter of James is the basis of the present municipal constitution. Subsequently, all the corporate rights of the borough were twice confirmed by Charles II., in the first and seventeenth years of his reign; and on the last confirmation, the civil jurisdiction was extended from claims not exceeding 40*l.* to claims not exceeding 100*l.* At the same time the Master of the Rolls, Sir Harbottle Grimstone, then recorder of the borough, was empowered to appoint as his deputy a "sufficient and discreet man, learned in the laws of England," to perform the duties of the office. 1 Car. 2. 17 Car. 2.

The three last charters are in the corporation chest. Translations of the 2 James I. and of the 17 Car. II. accompany this Report, (marked B.)

III. CORPORATE BODY and CONSTITUTION.

The persons incorporated by the Governing Charter are, "The Burgesses, Tenants, Residents and Inhabitants of the Borough of Harwich and the Village of Dovercourt."

Title.

Their corporate Title is, "The Mayor and Burgesses of the Borough of Harwich, in the County of Essex."

Enumeration of Officers and Freemen.

The Officers of the corporation are—

A Mayor.	The Common Council.
Predecessor Mayor.	
Eight Aldermen, (including the Mayor and Predecessor Mayor.)	
Twenty-four Capital Burgesses.	
A Recorder.	
High Steward.	
Town Clerk.	
Coroner.	
Chamberlain.	
Clerk of the Market.	
Two Serjeants-at-Mace.	
Two Water Bailiffs.	
A Gaoler.	
High Constable.	
Borough Treasurer.	
Keeper of the House of Correction.	
Crier.	

The total number of Freemen, or Burgesses, including all the officers just enumerated, does not exceed 67; and of this number, 34 are non-residents. Of the 33 residents, 29 are included in the list of officers; so that the borough at the present time contains only four freemen who do not hold office.

1. Officers composing the Council.

The Officers composing the Common Council, which is the governing body of the borough, are the mayor, predecessor mayor, aldermen and capital burgesses.

The

HARWICH.

Mayor.

The Mayor is annually elected on the Feast of Saint Andrew, which is the charter day. The aldermen only are eligible to the office, and the electors are the 24 capital burgesses, a majority of whom are always present at the election; and in case their votes are equal, the mayor in office chooses his successor. Such a case occurred in 1797. The senior capital burgess is the returning officer, and announces the result to the common council, who then swear the new mayor into his office.

In case of refusal, a fine may be imposed by the council; but there is no instance of refusal since 1625, when a fine of 50 *l.* was paid.

The mayor, as the head of the corporate body, presides at the council. (*See* "Common Council.") He is the chief magistrate of the borough and chairman of the sessions; one of the judges of the Civil Court; and admiral of the port. (*See* "Jurisdiction.") He is also the returning officer of the borough.

By the will of John Robinson, esq., he is a joint trustee of a bequest hereafter mentioned. (*See* "Patronage.")

His salary is now 50 *l.* a year, and the expenses incident to the office are estimated at twice that amount. These expenses, however, are optional, and principally incurred by hospitality.

The mayor and all other officers are removable by the council; but there is no instance of removal upon record.

Although the aldermen are all eligible to this office, it has in practice been confined to a few. One individual was 16 times elected without opposition. Originally a surgeon in the town, he afterwards became Clerk of the Cheques and Storekeeper of the Navy. Another alderman was five times mayor; he was formerly the Packet Agent, and now receives a Government pension; he is also a banker in the town. From 1817 till 1826 these two individuals alternately succeeded to the office.

In 1826 the present mayor was first elected; again in 1829; again in 1831; and the present is his fourth mayoralty. He is a resident shipbuilder, occupying the Government-yard under a grant from the Navy Board to his father, who was formerly a mayor of the borough. He is much respected, as well by his political opponents as by his own party.

Predecessor Mayor.

Upon the termination of his mayoralty, the ex-mayor, under the title of Predecessor Mayor, continues a justice of the peace for another year.

The present predecessor is a resident maltster and brewer, and the principal proprietor of the licensed public-houses in the borough.

Aldermen.

The Aldermen hold their office for life. They are elected by the capital burgesses from the freemen, and one-half of the present number were chosen from the body of electors.

The aldermen have no separate municipal functions, but they are alone eligible to the office of chief magistrate, and they form a constituent part of the council. (*See* "Common Council.") They are also trustees of Baker's Charity. (*See* "Patronage.")

The electors have the power of removing them for misbehaviour in their office; and this power was formerly exercised in case of non-residence, though not within the last 30 years. For the same cause the office was resigned in 1813.

This office has never been an object of contest among the capital burgesses, who have been contented with their own constitutional privileges, without aspiring to the magistracy. It was declined some years ago by the present chief magistrate, then a capital burgess. There is, however, no instance of refusal after an election since 1797, when a fine of 20 *l.* was imposed.

The present Aldermen are:

1. The mayor, elected an alderman in 1826.
2. The predecessor mayor, elected in 1827.
3. A banker, who was formerly the agent of packets on this station, and is now receiving a pension from Government. He is also a deputy-lieutenant of the county. He was elected in 1808, and resides in the borough.
4. The collector of Customs in the port, elected in the same year.
5. The collector of Customs at Wisbech, formerly the comptroller of this port. He was elected in 1813, and at that time was resident.
6. A former commander of an extra packet on this station, elected in 1828.

7, 8. Two resident surgeons, one of whom was formerly surgeon and agent to the Victualling department, and is now appointed by the Crown to attend all sick mariners in the port; the other is the acting Ordnance surgeon. The latter was elected in 1811, the former in 1830.

Capital Burgesses.

The Capital Burgesses elect themselves and hold their offices for life. The charter directs that they shall be chosen from the burgesses and inhabitants of the borough: in practice, they are always chosen from the burgesses, and the franchise has frequently been purchased with a view to the election.

They form the third constituent part of the common council, and as they elect the mayor and aldermen as well as themselves, they elect every member of the council. They have also the power of removing, for misbehaviour, either an alderman or one of their own body.

This office has been an object of frequent contest; and of the present capital burgesses, only one was elected without a poll. Their professions, occupations and stations in life, will appear from the following list:—

1. A physician, residing in London, who was elected in 1791, and then resided in the borough. He has now been non-resident for 30 years.

2. A Government

2. A Government pensioner residing in Ilford, who was formerly a linen-draper in the borough, and afterwards a landing-waiter in the Customs of the port of London. He was elected in 1800, and he also has been non-resident for 30 years.

3, 4, 5. Three former captains of packets on this station, two of whom are receiving Government pensions, and the third was succeeded in his command by a son, who is now on the reduced establishment. They were all three elected in 1806. One is non-resident.

6. A surgeon residing in the borough, and one of the medical attendants on the Ordnance Department. He was elected in 1809.

7. The barrack-master at Sheerness, formerly a rope-maker in Harwich, elected in 1811.

8. A resident merchant and ship-owner, who has for many years been the chamberlain of the corporation. He was elected in 1812.

9. A clerk in the Stamp-office, London, formerly a rope-maker in Harwich, elected in 1812. He has been non-resident about 10 years.

10. A stock-broker, resident in the vicinity of London; once a draper, and afterwards a ship-agent, in Harwich. He was elected in 1814, and has been non-resident about 12 years.

11. A resident builder, auctioneer and appraiser, elected in the same year.

12. A farmer elected in 1817. He resides within the precincts of the borough.

13. A landing-waiter of the Customs in the port of London, elected in 1817. He has been non-resident about 14 years.

14. An attorney, who is also the Dutch and Hanoverian consul; vice-consul of Sweden, Norway and America; and agent of the solicitor to the Admiralty. He was elected in 1818.

15. A retired commander of a packet on this station, residing in the borough, and elected in 1821.

16. The comptroller of customs in this port, who was previously a landing-waiter, elected in 1824.

17. A former commander of a packet, and now on the redundant list, with the redundant allowance. He was elected in 1825.

18. A landing-waiter at Barbadoes, elected in 1826. He has been non-resident ever since.

19. The commander of a steam-packet from London to Hamburgh, who formerly commanded an extra packet on this station, and was elected in the same year.

20. A former sail-maker in the town, who, after receiving rent from a tenant of the corporation without authority, and proving a defaulter, has absconded. He was elected in 1827.

21. A resident linen-draper, elected in the same year.

22. A former anchor-smith, now an insolvent debtor; elected in 1830.

23. His brother, a resident baker, elected in 1833.

24. A miller and farmer, residing in Dovercourt, elected in the same year.

There are three dissenters in the list.

Although the charter has invested this body with a power to remove "at their good pleasure" any one of themselves, not behaving well in his office, the case of a defaulter, who, after receiving without authority the corporation rent, absconded from the borough with the money, has not been considered a fit occasion for the exercise of the power; probably to avoid the scandal of publicity.

The mayor, aldermen and capital burgesses, compose the Common Council.

2. The Common Council.

To form a valid assembly, the mayor and a majority of the other members must be present; but a majority of each constituent part is not considered necessary. The charter day is the 30th of November. And special meetings are summoned by the mayor whenever he pleases.

This council is empowered to make laws and ordinances for the good government of the borough, and of all the officers and inhabitants within its liberties; and for the declaring in what manner the mayor, aldermen and burgesses, and all the officers and inhabitants, shall behave and deport themselves in their several offices, functions, trades and employments, for the public good and common advantage of the borough, and the victualling of the same; and for repairing and amending the pavement in its streets and lanes; and for attending to the fords for the passage of boats and barks; and for the preservation and maintenance of the harbour and its fishery.

These rules and ordinances may be enforced by discretionary fines and imprisonment. The charter only requires that a majority of the council, including the mayor, shall concur, both in making the laws, and in fixing the punishments. Under this power various municipal regulations have at different times been made: a copy of those which are still in force are among the documents which accompany this Report (marked C.)

It appears from an entry in the Council-book, dated in the 11th year of the reign of James I., that the council formerly imposed an annual tax on the borough, for the purpose of providing the ways and means of defraying its public expenditure. The entry is entitled, "A rental of those things which tende to the raysing of moneys yearly for the maintenance of the state of the said borough." This rental includes the dues which are still levied by the Corporation, and form a part of their present income. (*See* "Property.")

In addition to their functions as a local legislature, the council appoint the recorder, the high steward, the town-clerk, coroner, chamberlain, and all the inferior corporate officers.

HARWICH.

The appointment in all cases is either during their pleasure, or for one year, subject to removal by themselves.

Fines were formerly imposed in pursuance of certain bye-laws, both on members of the corporation and on others, but this is no longer done. The fines for refusing to serve the office of mayor and alderman have been mentioned. The capital burgesses are also liable to be fined 10*s.* for not appearing in court, or for leaving before it is discharged.

The Council have an unlimited power of creating honorary freemen, and they fix the fine to be paid on admission to the freedom by purchase. (*See* "Admissions.")

They control the management of the Corporation property; audit the receipts and disbursements of the chamberlain; and no sum exceeding 5 *l.* can be expended without their order; nor can any new financial order be made without three successive meetings of the council. (*See* "Chamberlain—Property.")

They are visitors of the grammar school, and appoint the master; and they fix the fines to be paid on admission to the freedom by purchase. (*See* "Patronage.")

Lastly, by a Local Act of Parliament, the mayor, aldermen and capital burgesses, are appointed paving commissioners.

Till the Reform Act was passed, the members of this council enjoyed, under the charter of James I. the exclusive privilege of returning the Members of Parliament for the borough. They were directed "To choose and nominate two discreet and honest men, to be Burgesses of the Parliament for the same borough," who were to be "chosen at the costs and charges of the mayor and burgesses," and to continue at their costs and charges so long as the Parliament was held.

A court was held for the purpose of the election, which has, for more than 30 years, taken place without any contest or division among the electors.

The last contest was in 1802, when a question arose, upon a petition to the House of Commons, as to the vote of one of the council. The name of the voter was Haggis, and the case is thus reported:—"Haggis had been the captain of a Custom-house cutter at Harwich; he had resigned his command in the year 1791, and had been succeeded by one Saunders, who agreed to allow Haggis an annuity of 60 *l.* a year, while he continued master of the cutter, as a mark of his gratitude to him for having kept his intention of resigning secret, and thereby affording Saunders an opportunity of availing himself of the influence and interest of his friends, to attain the situation." The annuity had been regularly paid to the member of the council, but because it appeared that he had personally no concern with the cutter, his vote was allowed to be good.*

During the present century, the number of voters has never exceeded 20. At the election of 1826, the number present was 27, but nine were disqualified as voters, by the Government offices they held. At the previous election of 1823, the number present was 28, and 10 were disqualified. At a former election only 12 were entitled to vote.

The number of freemen now registered as electors is 17, forming a tenth of the new constituency.

3. Officers appointed by the Council.

Recorder.

The Recorder holds his office during the pleasure of the council. He is required by the charter to be a "discreet person, well skilled in the laws of England;" and in the charter which prescribes this qualification, Sir Edward Coke, then Attorney-general, was appointed the first recorder of the borough. The present recorder is the Earl of Abergavenny, elected in 1799, and at that time one of the aldermen.

He is, by virtue of his office, a magistrate of the borough, and a judge of the civil court. In the oath he takes, he swears to "Make true records of all pleas, process, judgments, executions and other matters, that to the office of a recorder appertaineth or belongeth, in all causes concerning the King's Court of Record of Pleas, and all other his courts, holden and kept in this his town and borough of Harwich, wherein he shall be concerned; and at all times to give his best advice and counsel to the mayor of the same borough for the time being, how he should order and execute his process and judgments, according to form of law, and to the most honour and profit of the same borough."

The present recorder has been once in Harwich since he took this oath. No deputy has been appointed.

High Steward.

The High Steward, like the recorder, holds his office during the pleasure of the council. He is a borough magistrate, and has the same duties to perform and takes the same oath as the recorder.

This office is now held by Lord Bexley, who formerly represented the borough in Parliament. He was elected high steward in 1829, and has never visited the borough since he was sworn into office. He has power to appoint a deputy, but has not thought fit to exercise it.

Town Clerk.

The Town Clerk is appointed by the council during their pleasure, and has always been an attorney of the superior courts at Westminster.

He is the clerk of the peace for the borough; clerk of the arraigns; clerk to the magistrates; registrar of the Court of Pleas; and the legal adviser of the corporation.

Coroner.

The office of Coroner for the borough has for some time past been held by the town clerk, under a distinct appointment by the council.

The present town clerk is also clerk to the paving commissioners and to the commissioners of taxes, and is vestry clerk of the parish of Saint Nicholas.

His salary is 40 *l.* a year, and the incidental emoluments of his office are estimated by him at 20 *l.* a year besides.

The

* 1 Peckw. p. 397.

Chamberlain.

The Chamberlain is annually appointed by the council from the capital burgesses.

He is the treasurer, steward and accountant of the corporation. No payments exceeding 40*s.* can be made by him without an order from the mayor; and no payment exceeding 5*l.* without an order from the council. Security is not required; but the balance in his hands is never considerable, and at the present time does not exceed 80*l.*, which is the largest sum that has ever been held by the chamberlain now in office.

His accounts are generally audited by the council every alternate year, and the interval between two audits has never exceeded two years and a half. The accounts appear to have been regularly kept.

His salary is 10*l.* 10*s.* a year.

Although the appointment to this office is annual, it has been usually held for several years by the same individual. The present chamberlain is a merchant and ship-owner, and he has been re-appointed every year since 1826. His predecessor was a carpenter employed by the corporation. (*See* "Expenditure.")

Clerk of the Market.

The Clerk of the Market is annually appointed by the council. He has the general superintendence of the market, collects the dues according to a table with which he is furnished, and pays them over to the chamberlain every week, examines the weights and measures, which are provided by the corporation, and weighs all the butter which is exposed for sale.

He is allowed 10 per cent. on the dues he collects, which amounts to about 13*l.* a year.

The present clerk has held his office for five years, and is also a serjeant-at-mace.

Serjeants at Mace.

The Serjeants-at-Mace are appointed during the pleasure of the council.

They summon juries, and formerly executed the process of the Borough Court. They are also the public servants of the mayor, and form a part of the local police.

The salary of each serjeant is nine guineas a year, and they divide the stallage at the fairs, which amounts to about 8*l.* more. They also receive a suit of clothes every alternate year.

Water Bailiffs.

The Water Bailiffs are annually appointed by the council. They execute the summons of the mayor within the limits of the port, and collect the anchorage and other port dues to which the corporation are entitled.

Instead of a salary, they are allowed to retain the anchorage, which amounts to about 2*l.* 15*s.* per annum.

The present water-bailiffs are tide-waiters in the Custom-house service.

Gaoler.

The Gaoler is annually appointed by the council.

He receives a salary of 20*l.* a year from the corporation, and is provided with fuel and a house rent-free. He also receives 2*l.* 14*s.* a year for taking care of the Town Hall, and 6*s.* 8*d.* on the discharge of each prisoner, which is paid from the borough rate. (*See* "Gaol.")

The present gaoler has held the office for eighteen years.

Borough Treasurer.

The same individual is also the Borough Treasurer, with an additional salary of 20*l.* a year. He gives no security as treasurer; but the sum in hand is small, and has never exceeded 12*l.* His account is audited every quarter at the sessions, but not published.

High Constable.

The Gaoler and borough treasurer is also the High Constable, without any further salary.

Keeper of the House of Correction.

The Keeper of the House of Correction is annually re-appointed by the council. He receives no salary, but is allowed a house and fuel, and 2*s.* for every prisoner.

Town Crier.

The keeper is also the Town Crier, and receives about 10*l.* a year from those who employ him.

4. The Freemen.

The Freedom of the borough is acquired by birth, servitude, purchase and gift.

Titles to the Freedom.

The title by Birth is restricted to the eldest son of a freeman, born after his father's admission.

The title by Apprenticeship is gained by service, under an Indenture to a freeman for a term of seven years.

The sum fixed by the council for the Purchase of the franchise has varied at different periods. It is now 25*l.* Twenty-four members of the present council are admitted by purchase.

The freedom has generally been presented to the recorder, the high steward, and the Members of Parliament for the borough. One of the present council was also admitted by Gift.

Formerly the mayor had the privilege of creating an honorary freeman, during his year of office, but the privilege is no longer exercised.

Fees on Admission.

The Fees paid on admission are 13*s.* 6*d.* to the town clerk, and 3*s.* 6*d.* to the corporation for a fire bucket.

Privileges.

Besides their exclusive eligibility to the office of capital burgess, the only Privilege incident to the franchise, is an exemption from serving on juries out of the borough. Those who are not members of the common council have no control whatever over the corporate

HARWICH.

porate officers or the corporate property, nor are they allowed to be present at the elections on the charter day.

The whole number of admissions for the last 42 years has been 108, or on an average of that period, about five in two years. Those who are entitled by birth and servitude seldom take up their freedom, and the majority of the admissions have been purchased, with a view to a seat in the council. I have stated that 24 members of the council obtained their freedom in this way, and one was admitted by gift, so that only seven were entitled by birth or apprenticeship.

V. JURISDICTION.

The Criminal Jurisdiction of the borough is in practice exclusive: the civil jurisdiction is obsolete.

Magistracy.

The Magistracy is composed of the mayor, the predecessor mayor, the recorder, and the high steward. There are consequently only two resident magistrates.

Local Courts.

The Local Courts are—

1. A Court of Quarter Sessions,
2. A Court of Pleas,
3. An Admiralty Court,
4. A Court of Pie-poudre.

1. Sessions.

The court of Quarter Sessions is regularly held before the mayor and the predecessor mayor, the only two resident magistrates. A former high steward once attended, on the occasion of a prosecution by the then predecessor mayor; but neither the present high steward, nor the recorder, nor a deputy of either, has ever been present at the sessions.

This court has cognizance of all offences committed within the borough and its liberties, where they do not touch the loss of life or member; in which case it cannot proceed without a special warrant from the King. There has, however, been no prosecution at these sessions for a considerable time, and the greatest punishment inflicted during the last 30 years has been imprisonment for two months. Within the same period the whole number of prosecutions has been seven, and with the exception of offenders against the revenue laws, some years have elapsed since any prisoner was committed for trial at the assizes. The last was about seven years ago; his offence was an assault of a heinous nature. The business, therefore, of these sessions is very limited, and seldom occupies more than three or four hours.

Juries.

The Grand Jury is selected from the capital burgesses exclusively, if a sufficient number attend; and when that is not the case, the number has generally been filled up by other freemen. It is only within the last few years that any of the inhabitants who are not freemen have been summoned. The summoning officers are the serjeants at mace, who receive a precept from the mayor.

Presentments are frequently made by the grand jury, and meet with proper attention.

No Petty Jury has been summoned for 15 years. All inhabitant householders are considered eligible.

Borough Rate.

A Borough Rate is fixed by the magistrates at sessions, and the accounts of the treasurer are passed every quarter. The sum levied during the last year was 107*l.* 16*s.* 7*d.*, which is greater than the sums levied in previous years. The expenditure of this sum may be seen in the following abstract of the treasurer's account:—

DISBURSEMENTS.	1st Quarter.			2d Quarter.			3d Quarter.			4th Quarter.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
Balance of Treasurer's account last quarter due to him	21	11	3	14	–	9	5	3	3	15	19	6½
Relieving cast-away sailors	1	7	–	–	3	–	–	4	–	2	14	2
Passing vagrants	2	15	–	3	10	6	6	–	1	1	17	6
Constables for extra duty	15	9	4	6	1	6	12	1	6	8	12	–
Subsistence of prisoners	–	15	–	1	–	–	1	1	1½	1	8	1½
Town Clerk's bill	2	15	10	1	19	10	1	17	4	1	18	–
Treasurer's salary, postages, gaoler's fees, &c. &c.	5	7	4	5	7	8	7	12	3	5	12	8
£.	50	–	9	32	3	3	33	19	6½	37	10	6
Deduct cash received	36	–	–	27	–	–	18	–	–	26	16	7
£.	14	–	9	5	3	3	15	19	6½	10	13	11

The Act of Parliament, which requires an annual publication of this abstract, has never been complied with.

Petty Sessions and Magisterial Business.

The mayor and predecessor mayor meet every Tuesday, but there is very little Magisterial Business. A case of assault occurs about once in three weeks.

The offences most frequent are those committed against the revenue laws. The document marked (D.) shows the number of prisoners whose cases have been heard and determined by the borough magistrates, on summary informations for smuggling, during the years 1831, 1832 and 1833.

The following is an abstract:—

YEARS.	Number of Persons.	Number Convicted.	Number Acquitted.	Number Discharged, the Information being withdrawn.	OBSERVATIONS.
CUSTOMS:					
1831 - - -	13	13	—	—	
1832 - - -	24	22	2	2	One acquitted for want of jurisdiction.
1833 - - -	10	8	2	—	
EXCISE:					
1831 - - -	—	—	—	—	
1832 - - -	7	- -	7	—	
1833 - - -	8	2	6	—	

2. Civil Court.

The Civil Court of the borough, called the Court of Pleas, was granted by the charter of James I. to be holden every Tuesday, before the mayor, recorder and steward or deputy steward, and to have cognizance of all pleas, personal and mixed, where the cause of action had arisen within the borough or its liberties, and the damages did not exceed 40*l.* By the subsequent charter of Charles II., the amount of damages recoverable was extended to 100*l.* The process was the same as that of the superior courts of Westminster. The costs were not regulated by any table.

During the last century this Court was in full activity; but since 1800 only six plaints have been heard, and the last was in 1824. They were all instituted for debts.

No cause could be assigned by the town clerk for its disuse; but it may probably be found in the nature of its process, the arbitrary amount of the costs, and the absence or incompetence of those who were appointed to officiate in it.

The want of a local court for the recovery of small debts is a subject of complaint among the tradesmen of the town. It was stated by one, that he had undisputed debts standing in his books to the amount of 300*l.* or 400*l.*, the greater part of which might be easily recovered if there were an efficient court within the borough; but he did not think it worth his while to incur the expense and inconvenience of going to a county court. He added, that he knew several tradesmen who abandoned their debts under similar circumstances. This statement was corroborated by two other individuals, one of them a member of the council, who had themselves abandoned debts, each to the amount of 200*l.* It does not appear that any application has been made to the mayor to hold the borough court. The town clerk states that a court, with summary process, would be a desirable substitute.

3. Court of Admiralty.

The Admiralty Court has not been held since 1791, when the water-bailiff made a report on the assize of fish. The persons then present were the mayor, the predecessor mayor, and the steward. At the court immediately preceding, a similar report was made, but nothing further was done. It is now so entirely forgotten, that I was unable to obtain any precise information concerning its practice, or the causes of its neglect.

The loss of this court is a subject of regret and complaint among those who are interested in the shipping of the port.

It frequently happens that ships in distress are assisted into this harbour by boatmen, pilots and others, and differences generally arise upon the demands made for their services. As the local court is no longer held, these disputes are frequently carried either to the High Court in London, or before the magistrates at Colchester. If carried to the High Court, it is a heavy expense to the parties. If carried to Colchester, a distance of 21 miles, not only is a considerable expense incurred, but the property is exposed to a further risk, as the crew are obliged to attend there as witnesses, and the ships are consequently left without their protection. The Statute 1 & 2 Geo. 4, c. 75, which has empowered three justices of the peace to arbitrate upon such differences, cannot be put into execution in the borough, because there are only two resident magistrates.

HARWICH.

The following cases, which have occurred within the first three months of the present year, show the extent of the inconvenience:—

1834.	SHIPS.	PORTS.	MASTERS.	HOW DISPOSED OF.
January	Hope - -	Dundee -	Clark -	Dispute referred to Colchester.
„	Ann & Elizabeth	Boston -	Culpin -	Arrest by warrant from the High Court of Admiralty.
„	Hawk - -	Montrose	Murray -	Arrest by salvors.
„	Planter - -	Newcastle	Parry -	Ship allowed to proceed to London, and settled by arbitration there.
„	Mary Stuart -	London -	Frazer -	Dispute for about two weeks, and then settled without any reference.
February	Britannia -	Newcastle	Stephenson	Notice given to attend at Colchester, but ultimately settled for 82*l.* 10*s.*
„	Elizabeth -	Stockton	Pearson -	Carried to High Court in London.
March -	Donne Castle	Newcastle	Taylor -	Carried to Colchester, where an excessive award is said to have been given.
„	St. Pierre -	France -	Huermann	Carried to High Court in London.

It is stated, on behalf of the shipowners and merchants, that, for the purpose of settling these perplexed claims of salvors, which are constantly recurring, it is desirable that the Local Admiralty Court given by the charters should be re-established, or that the number of the borough magistrates should be increased.

Inconveniences of the Boundary.

Another subject of complaint, connected with the Admiralty jurisdiction, is the inconvenience of the Boundary, which separates the Harwich from the Ipswich waters. The Ipswich jurisdiction extends over a considerable portion of the Harwich harbour, and in many cases it is found very difficult to ascertain where offences committed within the harbour should be tried. The consequence is, that offenders sometimes escape from a mistake of the jurisdiction. Several cases were instanced of prosecutions for offences against the Custom Laws, where difficulty, inconvenience and extra expense, arose in consequence of doubts as to the boundary. *See* the Map marked (A.)

The document marked (E.) is a return of all such prosecutions during the last seven years. In every case the offence was committed within the harbour of Harwich. The following Table is abstracted from it:—

YEARS.	Number of Prosecutions.	NUMBER OF CONVICTIONS. By Harwich Magistrates.	By Ipswich Magistrates.	By County Magistrates.	Number of Acquittals for want of Jurisdiction.	OBSERVATIONS.
1826	7	- -	- -	- -	4	The other 3 were out of the reach of summons.
1827	4	- -	1	2	- -	One acquitted by Ipswich magistrates.
1828	3	3	—	—	—	
1829	1	- -	1	—	—	
1830	3	- -	1	- -	2	
1831	—	—	—	—	—	
1832	—	—	—	—	—	
1833	18	- -	18	—	—	

It appears, therefore, that out of 36 cases there were only three convictions by the Harwich magistrates, and 22 were carried to Ipswich.

With a view to obviate these difficulties, and avoid both the increased expense and the greater evil of impunity to offenders, it is suggested by the collector of Customs, that the limits of the Harwich jurisdiction should be extended, so as to accord with the limits of the port, as set out in 1693, by commissioners appointed for that purpose. The commissioners, after declaring Harwich to be a member port of the port and town of Ipswich, make the following return of its boundary:

"We do hereby declare and appoint the extents, bounds and limits of Harwich, the said member port, to be from the point of land or sand called the Plattey on the north-east side of Languard Fort south-eastward into the sea, to the inside or west-side of the sand called the Cork, and returned, and continued in a supposed right line to the promontory or point of

land called the Naes on the coast of Essex, and from the outward bounds to extend inwards by the coasts on both sides by the town of Harwich through the river up to Manningtree-town, and through the river towards Ipswich, to the north side of the entrance into Levington Creek in the parish of Levington in the county of Suffolk, and in a supposed direct line to a creek or hole on the opposite shore, commonly called Tills-hole in the parish of Shotley, including all creeks, waters, rivers, bays and places, within the bounds and limits aforesaid, and no further." A copy of the Return, marked (F.) accompanies my Report. HARWICH.

Without adopting the limits here set out, the evil complained of might be effectually remedied, by giving to the boroughs of Ipswich and Harwich a concurrent jurisdiction over the waters.

There is a day Police in the borough, but no night watch. The police is composed of a high constable and eleven petty constables for the parish of Saint Nicholas, and four for the parish of Dovercourt. They are all appointed by the mayor on the charter-day and sworn in at the following sessions. The same persons are generally re-appointed from year to year, and are selected from the poorer tradesmen and labouring classes. Five are registered voters, and at the last election they all voted on the same side as the council. Police.

The salary of the chief constable has been stated. They all receive the usual constabulary fees, which are not paid out of the corporate fund, but out of the borough rate.

It has been a custom in this borough for some years past to swear in a body of the inhabitants as Special Constables on the day of the general election, and to pay them 7 *s.* each as a gratuity. The elections were always peaceable, and the object therefore appears to have been to make the day a day of rejoicing and an occasion of corporate liberality. At the election which followed the introduction of the Reform Bill, an opportunity occurred for the first time of showing their loyalty to the Magistrates and the efficiency of their service. They had presented themselves as usual to be sworn in, and they were 120 in number. Disturbances broke out; the Riot Act was read by the mayor; and the constables were called upon to do their duty; when, forgetful of past bounties or indisposed for active service, they declined to interfere, and retired.

It would appear from this instance that the magistrates cannot calculate upon the assistance of the inhabitants in a case of emergency, at least when the riots are connected with the elections.

The borough Gaol contains three rooms and a single yard. Gaol.

The number of persons committed to this gaol in the years 1830, 1831, 1832, were 6, 12 and 12 respectively. Of these not one was committed for trial.

The prisoners are allowed 3 *s.* 6 *d.* a week, which is paid out of the borough rate. They are all unemployed, and there has been no sickness.

This gaol is occasionally used for the detention of smugglers, and upon these occasions it is sometimes found inadequate for the purpose. No less than 30 prisoners have been confined at the same time, and for several days.

Nineteen public-houses are licensed by the borough magistrates. Of this number two belong to the corporation, eight to the predecessor mayor, five to his father, and one to his brother. He is also the lessee of one of the public-houses belonging to the corporation; the other is tenanted by a brother of the chamberlain. Licenses.

It is more than 20 years since a new license was granted, and within the last 12 years five have been taken away, two of which belonged to the Corporation, and one to the predecessor mayor. The last was refused in consequence of complaints of misconduct; the other four were considered supernumerary.

As two of the borough magistrates are non-resident, and a third is the principal proprietor of these houses, the licenses are granted by the present mayor, assisted by one of the aldermen, a county magistrate. This alderman was formerly a brewer, in partnership with the predecessor mayor, and they were joint proprietors of the licensed houses. When their partnership was dissolved, the latter became sole proprietor, and the former a licensing magistrate. This circumstance gave rise to suspicions that an arrangement had been made at the time of the dissolution, based on some understanding or pledge, that the licenses should be continued.

These suspicions were not substantiated by any evidence, and they appear to have had no other foundation than the circumstances I have stated.

The Corporation do not interfere in the management of the poor. Poor.

V.

The Property of the Corporation consists of lands, dwelling-houses and other tenements, market tolls and port dues. PROPERTY.

The lands and tenements are partly within and partly without the borough. The two principal estates are without. 1. Lands and Buildings.

One is a farm and lands in Beaumont, Tendring and Thorpe, in the county of Essex, which was purchased by the Corporation in 1715, and is now occupied under a lease for 14 years, commencing on the 16th December 1824, at a rent of 170*l.* a year.

HARWICH.

The other farm, with lands in Great Holland, Essex, originally acquired by exchange and purchase, is let from year to year at a rent of 105*l.* a year.

Houses.

The dwelling-houses, storehouses, shops and other tenements, within the borough, all of which were built on the waste, are let to different tenants, for various terms of years, and produce together a rental of 262*l.* 1*s.*

The Table marked (G.) presents a description of this property; the names of the tenants and original lessees, distinguishing the members of the council; the dates and periods of their respective leases; the rents they pay; and the annual value at which the property is rated.

Leases to Members of the Council.

From this table it appears, that out of 22 leases granted by the council, 14 were granted to its own members; and that the rent paid by these members for property rated at 184*l.* is 89*l.* 19*s.*, while the rent paid by the other tenants for property rated at 106*l.* 5*s.* is 165*l.* The assessment is made on two-thirds of the real value; and consequently the value of the property occupied by the aldermen and capital burgesses, calculated upon this assessment, is 267*l.* a year, and the rent actually paid by them is about one-third of the value.

This property, however, which is leased so much under its present worth, has been improved by the tenants, and the present assessment is made on the property so improved. Some of these leases were originally building leases, and their value at the time they were granted, is now a matter of uncertainty. They were not exposed to public competition, and consequently the inhabitants had no opportunity of fixing the market price. In the majority of cases, the original lessees have disposed of their interests, and are no longer the occupants.

The following are selected as instances of leases granted to members of the council.

A grant was made in 1794 to a deceased alderman; the term was 60 years; the rent 5*l.* In the same year, or soon afterwards, this lease was sold for 500 guineas.

The present mayor occupies a house with outbuildings, for which he pays 2*l.* 2*s.* a year. It is rated at 24*l.* The ground was first granted to his father, in 1784, on a building lease for 30 years. This lease would have expired in 1814, but it was renewed in 1811, without any increase of rent corresponding to its improved value. A considerable sum had been laid out by the lessee, and the mayor states that there was an original understanding, though not expressed in the deed, that the lease should be renewed at the end of the term.

In 1816, a lease was granted for 31 years to a capital burgess, father of one of the present aldermen. The rent reserved was only 10*s.*; the property, consisting of ground and houses near the market, is rated at 7*l.* In 1816, the year before the lease expired, it was renewed for 31 years, on the same terms.

In 1821, a lease was granted to the chamberlain for 14 years. The rent is 5*l.* a year; and the premises are under-let for 12*l.* a year. The outlay of the chamberlain exceeded 70*l.*

At the same time, another lease was granted to a capital burgess for the same term. The rent he pays is 6*l.*, and the rent he receives 10*l.* His outlay was 50*l.*

The same individual has a second lease of other property for 14 years, from 1827. For this he pays 12*l.* and receives 16*l.*, keeping it in repair.

In 1824 a lease was granted to the predecessor mayor for 50 years. The rent paid is 10*l.*; the rent received 20*l.*; besides a personal occupation of part, which he values at 6*l.* His outlay was 500*l.* In this case, a part of the property granted was a public-house, and the predecessor mayor is a brewer.

It appears to have occurred to the corporation, in 1819, that the fairest way of letting the town property, was by offering it to public competition; and an order was made, that in future handbills should be issued by the town clerk, and a tender sent in to the chamberlain, to be read in open court. This order, however, has not in all cases been complied with, nor have the cases of deviation been confined to those occasions when a new lease was to be granted to a member of the council.

Public Buildings.

In addition to this property in the town, from which a revenue is derived, the corporation are proprietors of the guildhall, the gaol and gaoler's house, the house of correction and keeper's house, the national school-rooms, the free grammar-school, with the master's house, the look-out near the sea, the wells and pump, and the engine-house. All these are used for public purposes.

2. Market Tolls.

The Market Tolls are collected according to an ancient schedule, a copy of which is annexed, marked (H.) With one exception, they have not been altered for centuries; the exception is, the stallage paid by butchers, which has been slightly increased. The proceeds during the present year were 101*l.* 6*s.* 1*d.*

3. Port Dues.

The Port Dues are, meterage, groundage, moorage and anchorage.

The meterage is 1*d.* on every chaldron of coals delivered at the port.

Groundage is a duty of 1*s.* paid by every ship lying ashore, or 2*s.* if they are foreigners. Vessels belonging to the port are exempt from this payment and from moorage, which is a duty of 2*s.* on every other class of ships. Anchorage is 8*d.* on every ship.

The produce of the first three duties in 1833 was 20*l.* 5*s.* The anchorage, amounting to 2*l.* 15*s.*, is a perquisite of the water bailiffs, by whom they are all collected.

Ballastage was formerly collected, but it is now abandoned.

These are the permanent sources of revenue. The occasional payments for fines and fees on admission are inconsiderable.

The

The following statement of the Income, during the years 1829, 1830 and 1831, is abstracted from the chamberlain's accounts: Income.

	1829.			1830.			1831.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Balance in hand	81	19	11	21	15	6½	—		
Rental of farm at Beaumont	126	14	5	170	–	–	170	–	–
„ Great Holland	105	–	–	105	–	–	105	–	–
„ houses in Harwich	262	1	–	262	1	–	262	1	–
Market Tolls	132	15	1	134	–	8	127	19	5
Port Dues, viz. Meterage	14	9	9	16	12	8	14	15	11
„ Moorings	5	17	–	5	11	–	3	18	–
„ Groundage	3	14	–	3	11	–	4	15	–
„ Anchorage	2	15	–	2	15	–	2	15	–
„ Ballast	16	15	8	15	3	4½	2	16	10
Fines and Freedoms	7	–	–	25	3	6		—	
Timber and Stone	–	–	–	9	6	–		—	
£.	755	8	10	773	19	9	697	–	4
Deduct Arrears of Rent	–	–	–	10	10	–	25	10	–
TOTAL RECEIPTS £.	755	8	10	763	9	9	671	10	4

This income is charged with the payment of interest on a debt of 2,300*l.* incurred in 1814. The money was expended on the following buildings: Debt.

	£.	s.	d.
A new farm-house, &c. at Beaumont	1,200	–	–
National school	800	–	–
New look-out house	300	–	–
£.	2,300	–	–

By an order of the council, the sum to be allowed for building the school was limited to 450*l.*; the sum actually paid was nearly double. The builder was a member of the council. When the farm-house was built, a surveyor was appointed, who omitted to make an estimate. The builder in this case also was a member of the council. The whole sum required to defray the expense of these buildings was borrowed of a third member; the interest he receives is 5*l.* per cent. and his security is a mortgage of the Beaumont estate.

The ordinary Expenditure will be seen in the following summary of the accounts of the same three years 1829, 1830 and 1831: Expenditure.

	1829.			1830.			1831.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Balance due to Chamberlain	–	–	–	–	–	–	53	5	4½
Salaries to Corporate Officers, viz.:									
Mayor	25	–	–	25	–	–	25	–	–
Chamberlain	10	10	–	10	10	–	10	10	–
Town Clerk	40	–	–	40	–	–	40	–	–
Serjeants at Mace	18	18	–	18	18	–	18	18	–
Gaoler	23	15	8	23	19	2	23	15	1
Deputy Clerk of Market	12	9	6	12	15	4	12	1	6
Water Bailiffs	2	15	–	2	15	–	2	15	–
Market Sweeper	7	16	–	7	16	–	7	16	–
Master of Grammar School	40	–	–	40	–	–	40	–	–
Ringers and Band	12	1	6	15	13	–	11	–	6
Tradesmens' Bills	87	19	2	298	1	4½	137	–	2½
Taxes, Rates and Quit-rents	74	8	6½	74	2	5	68	17	9
Insurance	12	6	3	12	6	3	12	6	3
Interest on Debt	130	–	–	120	–	–	115	–	–
Debt paid off	200	–	–	100	–	–		—	
Sundries	32	13	8	11	18	6	7	10	11½
TOTAL £.	730	13	3½	813	15	–½	585	16	7½

The guildhall, gaol, school and other buildings, already specified as a part of the corporate property, though yielding no revenue, are kept in repair at the expense of the corporate funds.

HARWICH.

funds. This forms a part of the sum headed "tradesmen's bills." Another part is for sessions' dinners, which in the year 1830-1 amounted to 61 *l.* 1 *s.*

Some of the tradesmen employed are members of the council; and till a recent change in the mode of letting the property their bills were annual charges of considerable amount. An examination of the accounts of former years shows that they were in the habit of receiving large sums from the fund they were appointed to control. The office of chamberlain I have before stated was for many years held by a carpenter. During that period the corporation estates appear to have been constantly in want of carpenter's work; and the chamberlain's accounts regularly present his own bills.

A sinking fund had been established, which, by gradual accumulations, had amounted in 1822, to a sum exceeding 538 *l.* invested in the public funds. In that year it was found necessary to sell out this stock for the payment of outstanding bills, and the greater part of the proceeds were shared by the chamberlain and another member of the corporation in part liquidation of their claims for repairs.

In 1824, a new debt of 500 *l.* was incurred to pay off the remainder of the chamberlain's claim.

This head of expenditure has been materially reduced by the better management of the estates. The repairs formerly done by members of the corporation are now done by their tenants, and the chamberlain is no longer a carpenter.

The change appears to have been introduced about the time when the present mayor first became the head of the corporation.

Summary of Receipts and Expenditure.

The total Receipts and Expenditure of the 40 years, ending in 1830, are stated in the following table:

YEARS.	RECEIPTS.			DISBURSEMENTS.			BALANCE.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
1791	390	18	1½	222	8	–½	170	10	1
1792	536	12	–½	417	12	10½	118	19	2
1793	487	6	11½	391	–	6	96	6	5½
1794	485	2	4½	462	6	8½	22	15	8
1795	400	9	4½	366	8	9	34	–	7½
1796	529	12	1½	521	14	6¾	7	17	6¼
1797	646	5	4¾	647	6	–	1	–	7½
1798	448	4	–½	443	13	10½	3	10	2
1799	474	8	8½	468	3	2	6	5	6
1800	513	5	6½	471	7	10	41	18	8½
1801	546	5	1½	565	13	6	19	8	4½
1802	481	4	7½	514	17	4½	33	12	9
1803	581	15	6	694	15	–	112	19	6
1804	518	18	8	508	9	3½	10	6	4½
1805	532	4	6½	584	8	2	52	3	7½
1806	567	12	8	582	14	11	15	2	3
1807	556	2	–	554	13	8½	1	8	3½
1808	797	8	11	698	8	11½	99	–	–
1809	715	9	9	600	13	1	114	6	8
1810	723	16	1	668	19	10½	54	16	2½
1811	921	10	9½	962	3	7½	40	12	9¾
1812	984	11	1½	1,180	–	10¾	195	9	9½
1813	815	6	5¾	842	8	4	27	1	10½
1814	3,147	18	8½	3,165	11	4½	17	12	7¾
1815	1,023	13	–	1,176	7	9¾	152	14	9¾
1816	838	6	–	820	12	4½	17	8	1¾
1817	908	6	1½	756	7	3	151	18	10½
1818	957	13	4½	914	9	–	43	4	4½
1819	859	3	10½	687	6	11¾	171	16	10¾
1820	1,018	16	5	1,126	1	8	107	5	3
1821	1,012	5	7	1,129	5	9½	117	–	2½
1822	1,266	19	6½	1,562	4	9¾	295	5	3½
1823	797	16	3	1,149	12	4½	351	16	1½
1824	778	16	5½	1,325	16	5	546	6	11½
1825	1,198	4	–	1,357	12	3	159	8	3
1826	810	7	2½	852	7	1	42	2	10½
1827	871	2	–	825	–	4	46	1	8
1828	806	–	4	724	–	5	81	19	11
1829	755	8	10	733	13	3½	21	15	6½
1830	773	19	8½	827	5	–	53	5	4

It appears, therefore, that during the last 20 years they have rather exceeded 1,000 *l.* a year.

The

Audit.

The last account audited is that of 1830–31, which, with the previous account of 1829–30, was audited on the 6th March 1833. The balance of the year 1831–32 is not yet known. It is usual to pass two accounts together, but there is no regular day for the audit.

A copy of the last account accompanies my Report.

Alienations.

No real property has been sold within 50 years. The only Alienations have been made by way of exchange; one with the Parish, and another with the Board of Ordnance.

The first was an exchange of three pieces of ground and two dwelling-houses for an additional churchyard.

VI. PATRONAGE.

Grammar School.

The corporation appoint the master of the free grammar-school in the town. The school-house appears to have been erected about a century ago, by Sir Humphrey Parsons, one of the members for the borough, on ground belonging to them. The vicar or curate of the parish is the person always selected for the master. He occupies a house rent-free, and receives from the corporate funds a salary of 40*l.* a year, with an additional sum of 20*l.* for books supplied to the boys. The present master, the vicar of Dovercourt and Harwich, was formerly in the army, and is not a graduate of any university. He performs his duties by deputy.

The school contains 32 boys, who are placed there by the common council. They are the children of residents, without any distinction in favour of freemen, and the age of admission is from 8 to 14. The instruction given is in reading, writing and arithmetic; and an order of the council requires that they shall also be instructed in the principles of the church of England. A small annual payment for books was formerly exacted, but since the additional allowance to the master this charge has ceased.

Robinson's Gift.

The interest of 150*l.* given by the late John Robinson, esq. is applied in purchasing religious books for the use of this school.

Baker's Charity.

A rent-charge of 3*l.* per annum issuing out of houses in the town, is vested in the aldermen by the will of the late Giles Baker; and this sum is annually distributed among three seamen's widows who are selected by them. It is received and paid by the chamberlain.

VII. STATE of the TOWN.

Population.

The Population of the borough, according to the last Parliamentary Return was, in

1801	2,761
1811	3,732
1821	4,010
1831	4,297

The male population was returned 1,899

Occupations.

This population is distributed into

Families	Agricultural	74
	Trading and manufacturing	215
	Not comprised in either of these classes	514

Houses.

The number of houses was, in

1821	699
1831	743

According to Parliamentary Returns, the number of these houses estimated to be worth 10*l.* a year and upwards, including storehouses and warehouse, is, in

Harwich	362
Dovercourt	55
	417

The number rated at 10*l.* and upwards, according to the same Returns was, in

Harwich	203
Dovercourt	29
	232

The number taxed at 10*l.* and upwards, according to the same Return was, in

Harwich	175
Dovercourt	9
	184

Of those in Harwich the number taxed at

20*l.* and upwards was	28
40*l.* and upwards	3
	31

Parliamentary Constituency.

The Voters now registered are,

Freemen -	Harwich - - -	15	
	Dovercourt - - -	2	
			17
Inhabitants not free	Harwich - - -	141	
	Dovercourt - -	21	
			162
	Total Constituency		179

Property.

The annual value of real property was returned, in 1815, to be 12,392 *l.*

The annual valuation of property at the present time, for the purpose of parochial assessment, is in

Harwich - - -	£.5,387	– –
Dovercourt - -	2,104	5 –
In the borough - -	£.7,492	– –

The assessment is said to be made on two-thirds of the real value.

Assuming this to be correct, the present value of rateable property in the borough is 11,238 *l.*

The property assessed to the Crown, forming a part of this gross assessment, is, in

Harwich - - - -	£.713
Dovercourt - - - -	61
	£.774

That of the corporation is, in

Harwich - - - -	£.412

That of the resident members of the council and their families is, in

Harwich - - - -	£.877
Dovercourt - - - -	318
	£.1,195

And that of the non-resident members and their families is, in

Harwich - - - -	£.105
Dovercourt - - - -	172
	£. 277

Local Taxation.

The rates and taxes of the borough are as follows:

1. Parochial assessments:—

	1831.	1832.
Harwich - - - - £.	2,123 15 2	2,085 19 4
Dovercourt - - - - -	547 14 3	621 – –
Total - - - £.	2,671 9 5	2,706 19 4

These include the borough rate, levied for the payment of constables, and gaol expenses. The quarterly rate varies from 2*s.* 6*d.* to 3*s.* 6*d.* in the pound. The present rate is 3*s.* 6*d.* The valuation has been stated.

2. Church Rate:

	1831.	1832.
Harwich - - - - £.	775 16 3	740 4 3

This is a quarterly rate of 1*s.* in the pound.

3. Paving Rate:

	1831.	1832.
Borough - - - - - £.	275 16 11	274 12 8

4. Assessed Taxes:

	1831.	1832.
Harwich - - - - £.	790 13 1¾	732 2 8½
Dovercourt - - - -	92 8 6	98 16 6
Total - - - £.	883 1 1¾	830 19 2½

5. Land

5. Land-Tax :		1831.	1832.
Harwich - - - - - £.		192 18 11	192 18 3
Dovercourt - - - - - -		61 1 –	61 1 –
TOTAL - - - £.		253 19 11	253 19 3

Summary of Rates and Taxes :		1831.	1832.
Rates - -	Poor - - £.	2,671 9 5	2,706 19 4
	Church - - -	775 16 3	740 4 3
	Paving - - -	275 16 11	274 12 8
Taxes - -	Assessed - - -	883 1 1¾	830 19 2½
	Land - - -	253 19 11	253 19 3
	TOTAL - - - £.	4,860 3 7¾	4,806 14 8½

The Port Dues levied by the Corporation have been already stated.

Trade.

The following Table shows the number of ships cleared inwards and outwards, during 20 years, ending in 1832, with the quantity of their tonnage. The foreign clearances, and the shipping of the port, are distinguished :

YEARS.	FOREIGN.				COASTWISE, Including Ireland.				VESSELS belonging to the Port.	
	INWARDS.		OUTWARDS.		INWARDS.		OUTWARDS.		Ships.	Tons.
	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.		
1811 - -	56	3,257	127	8,913	424	33,678	313	23,929	144	7,465
1812 - -	52	3,678	134	8,013	373	28,989	277	21,116	148	5,384
1813 - -	112	7,920	196	11,734	396	31,824	309	22,914	139	7,786
1814 - -	148	9,118	170	10,345	463	35,736	303	21,743	140	7,707
1815 - -	167	11,834	184	11,360	391	31,543	817	26,449	138	7,463
1816 - -	219	13,312	140	7,003	365	32,244	296	21,781	123	6,825
1817 - -	120	6,011	130	7,048	405	33,758	357	24,506	226	6,901
1818 - -	137	8,410	132	7,124	415	34,490	355	25,301	111	5,987
1819 - -	141	8,336	122	6,191	410	33,961	301	20,492	101	5,673
1820 - -	208	13,043	122	5,929	410	34,067	337	23,433	102	5,554
1821 - -	211	12,921	118	5,807	410	34,067	337	23,433	98	5,401
1822 - -	148	8,488	115	6,065	410	34,067	337	23,433	83	4,611
1823 - -	164	10,394	95	4,845	489	39,849	349	26,168	86	4,880
1824 - -	56	2,975	74	3,650	526	41,470	383	27,570	85	4,824
1825 - -	98	6,647	115	6,947	614	42,916	314	24,956	82	4,804
1826 - -	113	7,539	63	3,442	549	46,617	371	26,735	88	5,270
1827 - -	38	2,852	31	1,838	500	42,659	416	28,455	90	5,484
1828 - -	95	6,118	85	4,658	550	45,900	394	27,874	93	5,421
1829 - -	44	2,708	48	3,064	510	42,529	358	29,933	95	5,452
1830 - -	18	1,768	32	2,383	494	41,065	471	32,889	96	5,601
1831 - -	21	1,216	45	2,862	539	42,950	390	28,370	97	5,844
1832 - -	8	472	55	3,742	359	24,323	435	30,880	95	5,726

The receipts of Customs during the same years have been as follows :

YEARS.	RECEIPTS.			YEARS.	RECEIPTS.		
	£.	s.	d.		£.	s.	d.
1811 - - -	12,493	5	11½	1822 - - -	7,419	7	3
1812 - - -	10,172	18	9	1823 - - -	7,869	15	10½
1813 - - -	11,517	16	11½	1824 - - -	8,460	6	7
1814 - - -	13,845	6	1½	1825 - - -	10,367	4	6
1815 - - -	10,404	6	10½	1826 - - -	11,245	9	8
1816 - - -	8,583	15	2½	1827 - - -	7,880	17	5½
1817 - - -	8,262	10	3½	1828 - - -	8,961	19	3
1818 - - -	8,745	6	3½	1829 - - -	8,031	–	1½
1819 - - -	6,862	3	11	1830 - - -	9,014	17	2
1820 - - -	9,458	10	6½	1831 - - -	850	10	3
1821 - - -	8,967	14	6	1832 - - -	147	3	5

Local Acts.

The Local Acts are:—

1. An Act for the completing of the rebuilding of the church or chapel of the parish of Saint Nicholas, in Harwich, in the county of Essex, 2 Geo. IV. 1821.

2. An Act to amend an Act of the 1st and 2d year of his present Majesty, for rebuilding the Church of Saint Nicholas, Harwich, in the county of Essex, 5 Geo. IV. 1824.

3. An Act for Paving, Cleansing, Lighting, Watching and otherwise improving the town of Harwich, in the county of Essex, and for supplying the said Town with Water, 59 Geo. III. 1819.

The present state of the town with respect to population, property, taxation, voters and trade, so far as it can be collected from the statistical facts adduced, is this:—

The population, which increased rapidly between 1801 and 1811, has since then increased in a much less ratio; and in the course of the 10 years ending in 1831, only 44 houses have been added to the existing number.

The annual value of rateable property in the borough, calculated from the parochial assessments, is 11,239*l.* a year, which is 1,153*l.* less than the amount of real property returned in 1815; and this property was till lately charged with local rates and taxes, amounting to 4,806*l.* 14*s.* 8½*d.* a year.

The constituency is very considerably less than than the returns made to Parliament in 1831 must have led them to expect; and the number of voters registered in 1833 is less than the number registered in 1832.

The foreign trade of the port has considerably fallen off, while its internal trade has been increasing; and the one has so far balanced the other, that the total receipts for customs have not materially varied during the 16 years ending in 1831, when the change took place in the duties.

On the whole, the town and its trade are said to be in a declining state, and one of the causes assigned is the removal of the Government packets.

VIII.

SUMMARY and OBSERVATIONS.

The Corporation of this borough has long ceased to be identified with the "Tenants, Residents and Inhabitants" who are incorporated by its charters. The inhabitants are not admitted to the freedom; the majority of the freemen are not residents; and neither freemen nor inhabitants have any voice in the election of municipal officers, or in the management of corporate affairs.

The constitution provides no check against the abuse of municipal power. The mayor is elected by the capital burgesses out of the aldermen; the aldermen by the capital burgesses, and the capital burgesses by themselves. These are the elements of the Council, which is invested with all the powers and privileges of the corporation, without being subject to disturbance from any external control. They appoint the local magistrates, who tax the borough, and they have the uncontrolled management of the town revenues.

This select body was also entrusted, by the charters, with the choice of "two discreet and honest men, to be burgesses of the Parliament for the same borough," who were to continue "at the costs and charges of the mayor and burgesses," so long as the Parliament was held. It is this exclusive electoral privilege which has given to the corporation its present character.

The honesty and discretion they sought was found for many years among the members of the Government; and, in return, the Government found among the members of the select body, qualifications for many public appointments. This reciprocity of confidence or dependence, which connected the borough with the Government, was only destroyed when the Reform Bill had proposed to transfer the right of voting from the council to the inhabitants.

Whether the election and attendance in Parliament was at the costs and charges of the Corporation or of the public, may be collected from a recapitulation of the various offices and pensions conferred upon the electors.

Among the resident members of the council, are the collector of Customs; the comptroller of Customs; the former agent of Government packets, now a Government pensioner; two commanders of packets, also Government pensioners; and a third, whose command descended to his son, now on the redundant list; besides surgeons attached to the Ordnance and Victualling Departments of the port.

Among the non-resident members are, the Barrack-master of Sheerness; the collector of Customs at Wisbeach; landing waiters in the Customs of London and Barbadoes; and a clerk in the Stamp-office of London. All these are either aldermen or capital burgesses of the borough of Harwich.

But the number of public appointments heaped upon this municipal council is not more remarkable than the transformations which the members have undergone, on entering upon their new functions. A linen-draper became a landing waiter in the Customs; a rope-maker was changed either into a Barrack master, or a clerk in the Stamp-office; and a surgeon was elected to be clerk of the cheques and storekeeper of the Navy.

These offices, however, numerous as they are, with the accompanying pensions, are not the only links by which the loyalty of the council was rewarded and strengthened, if not secured to the ministers by whom the offices were conferred. Not only themselves, but their sons, brothers, nephews and cousins were secured for the service of the State. In a table

table (marked I.) which accompanies my Report, the several public appointments held by members of their families, with the salaries they receive, are presented in one view. It is not altogether free from error, but as it was drawn up after much inquiry, and the errors pointed out by members of the corporation, to whom it was handed for examination, were inconsiderable, and its general accuracy was not impugned, it may serve as an additional illustration of the working of the constitution. It appears from this document, that twelve sons, besides brothers and other relations, are engaged in the public service, and that the members of the council, with their families, who are at the costs and charges of the public, are receiving from the public purse a sum exceeding 7,000 *l.* a year, as a compensation for the services they have rendered or are still rendering to the State.

In some instances, it must be observed, individuals holding public offices were elected into the corporation, but these are the exceptions. In most cases the appointments were conferred either on those who had already acquired the right of voting, or on some individual of their families.

That the constitution so far has worked well for the common council of Harwich seems to be clear enough. If it has worked equally well for the public service, there is nothing to complain of. But the way in which these appointments were occasionally transferred may suggest a doubt upon this point. Two modes of conveyance have been given as examples. In one, the command of a Government vessel descended from father to son; in the other,—the case of Haggis,—it passed not by descent, but by bargain and sale. A member of the council, who was appointed to a revenue cutter, resigned the command, secretly bartering his resignation for an annuity of 60 *l.*; and this was "granted to him for having kept his intention of resigning secret, and thereby affording Saunders an opportunity of availing himself of the influence and interest of his friends to attain the situation." This case was brought to light by a contested election,—the last contest that took place before the introduction of the Reform Bill.

I now pass from the benefits conferred on the Council to the benefits which they in their turn confer on the Inhabitants, as rulers of the town, guardians of its jurisdiction and corporate privileges, and stewards of its property.

First, then, the maintenance of their own efficiency and respectability as the Governing Body of the town.

This council is composed of 32 members. Ten are absentees, retaining their privileges and authority in the borough, while they neglect their municipal duties. One of the ten has left the country, and is settled at Barbadoes in a Government office. Another has absconded, carrying with him the town money, which he obtained under false pretences. No attempt has been made to remove him from his office; no official inquiry has been instituted into his conduct.

The power of amotion, therefore, vested in the Governing Body is ineffectual as a security for maintaining its respectability, since an individual who has proved that he cannot be trusted may continue a trustee of the town property; and after showing that he cannot deport himself with common honesty, either in his corporate or social character, he may still remain one of the rulers of the town, appointed to make laws and ordinances "for declaring in what way its officers and inhabitants shall deport themselves for the public good, common advantage, and good government of the borough."

Next, as to their selection of Magistrates and Law officers.

The charters have provided Local Courts, both criminal and civil, to be held within the borough, and have confided the administration of justice to corporate officers selected by the council.

In the person of their present Mayor, they have chosen for the fourth time a chief magistrate who enjoys the respect of the town; nor is it probable that any corporate reform would bring into office a more intelligent and competent functionary. But of the other three magistrates, two are absentees, and the third is partially disqualified from acting by his extensive interest in the licensed public-houses.

The two absentee magistrates, the Steward and Recorder, are the officers appointed by the constitution to perform the duties of the civil court, and to advise the mayor in all legal matters. The steward has not been seen in the borough since he swore to perform these duties, and the recorder has only once made his appearance since he took the same oath. Neither the one nor the other has thought it necessary to appoint a deputy. Their court, therefore, is left without officers; and the inhabitants complain that, not having leisure to travel many miles from their homes and occupations to the county court, they have lost the only practical means of recovering their small trade debts, which they are consequently compelled to abandon.

This is a protection withdrawn from the trade of the town. A similar protection has been withdrawn from the shipping of the port, by a similar neglect of municipal duty.

The constitution has provided an Admiralty jurisdiction, and a magistracy commensurate with the wants of the place. The Legislature has passed a Statute particularly applicable to this borough, where disputes are constantly arising between the boatmen and pilots on the one hand, and the ship-owners or agents on the other. No Admiralty Court is held; and the Statute cannot be enforced, because two of the four magistrates are absent, and the number left in the borough is insufficient for the purposes of the Act.

HARWICH.

Hence the complaints I have reported of those who are interested in shipping, that their ships are either left unprotected, while the sailors are travelling to Colchester, a distance of many miles, to give evidence before the magistrates of another district, or they are arrested by the High Court of Admiralty, and the parties put to an unnecessary expense in settling that which might be settled on the spot, with little expense and no delay, if the intention of the charter, in providing a sufficient number of local magistrates, were carried into effect, and the inhabitants were not deprived of the benefits of an Act of Parliament, by the appointment of absentee Peers to fill municipal offices in the borough.

The stewardship of the Property is open to much observation. The management is secret, and the secrecy is rendered more objectionable by the personal interests which members of the council have acquired, in conflict with those of their trust.

The town lands have been occupied by themselves, on terms fixed by themselves. Out of 22 leases of these lands, 14 were granted by this council to its own members. They were exposed to no competition, nor had the rest of the incorporated tenants, residents and inhabitants any opportunity either of sharing the privilege or of fixing a market value for the occupation. As far as the assessments can guide us to any result, the occupation appears in many cases to be more beneficial to the individual members of the body, as tenants and personal occupants, than to the collective body as landlords and public trustees. The contrast between the rents paid by themselves and the rents paid by others, when compared with the parochial valuations, is certainly very striking; but I have already shown why this comparison is not a fair test. In the absence of any test from competition and publicity, the matter is open to conjecture and suspicion; and suspicion is not weakened by observing the nature of the control exercised over the expenditure.

Looking, indeed, to the payments of former years, it might appear that some individuals, not provided for by Government offices, were allowed to provide for themselves out of the town purse. Considerable sums were annually received from the corporate fund by members of the corporation for work done, and approved by themselves. Members of a body appointed to control the expenditure were appointed the builders and tradesmen whose expenditure they were to control. As long as the office of chamberlain was held by a carpenter, his own annual account, as chamberlain, regularly presented his own annual bills as carpenter; and then it became his duty, as a member of the council, to join, first in examining and passing the bills, and afterwards in auditing the accounts. The corporation income was found unequal to his constant demands upon it; and although more than 500*l.* stock was sold out, in 1822, for the purpose of satisfying outstanding claims, among which his own and that of another member of the council were the foremost, it became necessary, two years afterwards, to borrow a further sum of 500*l.* to pay off the remainder of his claim.

These constantly recurring payments to its own members were at length put a stop to by an order of the corporation, that the repairs to their estates should in future be done by the tenants; a reform which appears to have been introduced about the time when the present chief magistrate first became their head.

In the cost of their new buildings, again, the same personal interests present themselves, in the same suspicious form. One sum is fixed for the work, and nearly double that sum is paid: the builder is a member of the council. Another building is ordered, and a surveyor appointed, who makes no estimate; again the builder is a member of the council.

If, in this administration of the property and its revenues, we suppose them to have acted in pursuance of the charter, with a view to "the public good, common advantage and good government of the borough," they must have considered that the property which they held in trust was safest in their own occupations, and that the purposes for which it was granted might be occasionally identified with the interests of trade in which they happened to be themselves engaged.

During the last 20 years the Revenue of the Town has exceeded 1,000*l.* a year. Latterly it has been falling off, while the debt incurred by the payments made to individual members of the council remains an annual charge.

The advantages which the town derives from this revenue are confined to the maintenance of an old and inconvenient gaol, with other buildings of a public nature, and the payment of certain officers, appointed and salaried by the council. They pay the gaoler's salary, but not the gaol expenses. They pay a salary to their town clerk, but not the sessions' expenses. They appoint constables, and the inhabitants pay them by a tax.

The Grammar School was originally built by a private individual on the town land. The corporation now appoint a master, and make him an allowance. The master they have selected is a clergyman, who performs his duties by deputy, and his duties are confined to the education of boys nominated by themselves.

Having found themselves unable any longer to spare a sufficient sum for the maintenance of a local police, and for defraying the sessional expenses, they have had recourse to a borough rate, which is now an annual tax upon the inhabitants. In the exercise of their taxing power, the Magistrates have preserved those habits of secrecy which have been formed by the irresponsibility of their corporate character. The tax-payers are consequently left in ignorance of the application of the money, or at least are deprived of that security which the law requires in ordering publicity. The application of the money raised became publicly known to them for the first time during the municipal inquiry.

It appears therefore that, under the present guardianship of the franchise, jurisdiction, and property of this borough, municipal power may be retained not only by absentees from the borough and the country, but by one who has lost his character for common honesty; that in the exercise of the discretionary power of appointment vested in the Council, for securing a local administration of justice, they have chosen for judicial functions those who only consent to accept corporate offices on condition of neglecting the duties, and that the consequence of this neglect has been either a denial or delay of justice to the Inhabitants, and a withdrawal of municipal protection both from the trade of the town, and from the shipping of the port. So much for the constitutional control of the Governing Body.

Then as regards their secret administration of the property, and control of the expenditure, the personal interests acquired by the members, both in the occupation of the property and in the extravagance of the expenditure, expose their administration and control to much and reasonable suspicion; and the secrecy, which encourages that suspicion, has been extended even to the expenditure of money raised by taxation, where the magistrates have, unconsciously perhaps, set an example of disobedience to the laws.

The inherent Defect of the Constitution, to which these results may be referred, is the irresponsibility of power conferred for life. The only security provided for the performance of municipal duty is an oath imposed on the functionary appointed, and the control of the same permanent and irresponsible body that appoints him. The oath is sworn, and forgotten, even by men of piety: the control is not exercised for obvious reasons.

This irresponsibility has prevented an identity of interest between the council and the inhabitants, and while the former have derived many personal advantages from the privileges attached to their trust, the incorporated "Tenants, Residents and Inhabitants of the borough," appear to enjoy under their charters a mere name of incorporation.

XI. DOCUMENTS

The Documents which accompany my Report are—

(A.) A Map of the Harwich Waters, distinguishing the Harwich from the Ipswich jurisdiction.

(B.) A translation of the two Charters of James I. and 17 Car. II.

(C.) A copy of the Bye-laws still in force.

(D.) A Return of the number of Prisoners whose cases have been heard and determined by the borough magistrates, on summary informations, for smuggling, against the provisions of the 6 Geo. IV. c. 108, intituled "An Act for the prevention of Smuggling," and other Acts, during the years 1831, 1832, 1833; distinguishing each case.

(E.) A Return of all Customs Prosecutions within the last seven years, wherein doubt and difficulty have arisen as to the Jurisdiction.

(F.) A copy of the Report of the Commissioners appointed to set out the port of Harwich in 1693.

(G.) A Return of the Property, as stated in the Report.

(H.) A Schedule of the Market Tolls collected.

(I.) A Statement of the Public Officers, and Pensions held by Members of the Council and their families.

John Buckle.

REPORT

ON

THE BOROUGH OF HIGHAM FERRERS,

(NORTHAMPTONSHIRE.)

CONTENTS.

	Page
1. Limits of the Borough	2282
2. Charters	2282
3. Title	2282
4. Officers named in the charter	2282
5. —— not named in the charter	2282
6. Freemen	2282
7. Mayor, election of	2283
8. Aldermen	2283
9. Capital Burgesses	2283
10. Recorder	2283
11. Deputy Recorder, appointment of	2283
12. Justice of the Peace, election of	2283
13. Chamberlains	2283
14. Inferior Officers	2283
15. Freemen, how created	2283
by Birth	2283
by Purchase	2283
Fees on admission of	2283
16. Ruling Body, functions of	2283
17. Mayor	2283
18. Aldermen and Capital Burgesses	2283
19. Recorder	2283
20. Deputy Recorder	2283
21. Justice of the Peace	2283
22. Chamberlains	2283
23. Inferior Officers	2283
24. Freemen, privileges of	2283
25. Courts:	
Court of Record	2283
Petty Sessions	2283
26. Police	2283
27. Gaol	2283
28. Poor	2283
29. Patronage	2283
30 Licenses	2283
31. Property:	
Lands and Houses	2283
Interest of Money, Profits of Fairs, &c.	2284
32. Debt	2284
33. Annual Expenditure	2284
34. State and Prospects of the Town:	
Extent	2284
Population	2284
How Families employed	2284
Annual Value of Real Property	2284
Assessed Taxes	2284
Parochial Assessments	2284
Houses above the value of 10 *l.* a year	2284
35. Local Acts	2284
36. Documents sent with the Report	2284

BOROUGH OF HIGHAM FERRERS.

Limits of the Borough.

1. THE borough of Higham Ferrers extends over 1,871 A. 1 R. 9 P. of land, of which 36 ½ A. are contained within the town, and the remainder consists of adjoining land.

Charters.

2. The dates of the Charters granted to the corporation are, 2d & 3d Ph. & Mary; 2d James I.; 16th Car. II.; and 36th Car. II. The governing charter is 2d & 3d Philip and Mary.

Title.

3. The Title of the corporation is "Mayor, Aldermen and Burgesses of the Borough and Parish of Higham Ferrers."

Officers named in the Charter.

4. The Officers named in the charters are,

Mayor.	Justice of the Peace.
7 Aldermen.	Serjeant at Mace.
13 Capital Burgesses.	Bailiff.
Recorder.	2 Constables.
Deputy Recorder.	

Officers not named in the Charter.

5. Two Chamberlains are the only officers not named in the charters.

Freemen.

6. There are 22 resident Freemen, of whom 16 are members of the governing body of the corporation, and 5 non-resident.

7. One

7. One of the aldermen is annually elected Mayor by the common council.

8. The Aldermen are elected for life by the mayor and aldermen, from the capital burgesses. — Mayor, election of.

9. The Capital Burgesses are elected for life by the common council from the resident freemen. — Aldermen, election of. Capital Burgesses, election of.

10. The Recorder is elected for life by the mayor and aldermen. — Recorder, election of.

11. The Deputy Recorder is appointed by the recorder, and holds his office during pleasure. — Deputy Recorder, appointment of.

12. By the charter 36 Car. II., the Justice of the Peace is to be elected by the mayor and aldermen out of the aldermen, and to hold his office for life. In practice, and in pursuance of the charter of Philip & Mary, he is chosen annually by the mayor and aldermen, and is always the mayor for the preceding year; except when the same mayor holds his office for a second year, when the justice is also continued for that term. — Justice of the Peace, election of.

13. The Chamberlains are elected by the common council for one year; they are always either aldermen or capital burgesses. — Chamberlains, election of.

14. The Serjeant at Mace, Bailiff and Constables are elected by the same body and for the same period. — Inferior Officers, election of.

15. The Freemen are created by birth or purchase. — Freemen, how created.

The eldest sons of freemen are entitled to be admitted to their freedom, and in case of the death of the eldest son, the right devolves on the second. — Birth.

Freemen have been sometimes admitted by purchase, at the option of the common council, but no fixed sum is paid on such occasions. — Purchase.

The Fees paid on admission of the eldest sons of freemen amount to 10*s.* 8*d.*, and on admission by purchase, to 16*s.* 8*d.*, besides the stamp. — Fees on admission.

16. The Mayor, Aldermen and Capital Burgesses are the common council, and have the general government of the corporation. — Ruling Body, functions of.

17. The Mayor is a magistrate for the borough, and formerly presided in the court of record, which is now discontinued. He is also clerk of the market. He receives a salary of 30*l.* a year, and his incidental emoluments are about 5*l.* a year. These sums are about equal to the expenses of the office. — Mayor, functions of.

18. The Aldermen and Capital Burgesses have no other functions but those which belong to them as constituent parts of the common council. — Aldermen and Capital Burgesses, functions of.

19. The Recorder, by himself or deputy, swears in the mayor, justice and other officers, and is the legal adviser of the corporation. — Recorder, functions of.

20. The Deputy Recorder supplies the place of the recorder in his absence. He has no salary, but receives some incidental emoluments to the amount of about 3*l.* a year. — Deputy Recorder, functions of.

21. The Justice of the Peace performs the ordinary duties of a magistrate, and receives a salary of one guinea a year. — Justice of the Peace functions of.

22. The Chamberlains keep the accounts of the corporation, and collect their rents. They also look to the state of the fences on the corporation property, and direct repairs when necessary. Each of them receives an annual salary of 45*s.* — Chamberlains, functions of.

23. The Serjeant-at-Mace, Bailiff and Constables perform the duties ordinarily belonging to those offices; at present, the same two individuals serve both offices. They receive as serjeant-at-mace and bailiff an annual salary of two guineas each. They have no salary as constables, but receive fees for serving warrants, &c., amounting to about 11*s.* a year each. — Inferior Officers, functions of.

24. The Freemen alone are eligible to be made burgesses, and are understood to have the exclusive right of trading within the town, but it is not enforced. Previously to the passing of the Reform Act they had the right of voting for Members of Parliament for the borough. — Freemen, privileges of.

25. A Court of Record was formerly held every three weeks; but it has been discontinued for the last 70 years. — COURTS. Court of Record.

There are no general sessions; and Petty Sessions are only held for the purpose of appointing overseers of the poor, and granting licenses for public-houses. — Petty Sessions.

26. The bailiff and constables are a sufficient police for ordinary occasions. Special constables have only been appointed once for many years. The inhabitants were then found willing to act. — Police.

27. There is no Gaol here, but merely a lock-up house for the safe custody of prisoners till they can be taken to the county gaol and house of correction. The county magistrates formerly disputed the right of those of the borough to commit offenders to the county prisons; but it is now admitted. — Gaol.

28. The corporation do not interfere in the management of the Poor. — Poor.

29. The corporation have the appointment of the schoolmaster and of 12 bedesmen and one bedeswoman to Archbishop Chicheley's charity. They also select 20 poor widows yearly, to whom the sum of 20*s.*, charged on an estate of Earl Fitzwilliam, is paid. This is called Dewberry's charity. The corporation likewise appoints six poor men to receive 10*s.* a year each from Latham's charity. — Patronage.

30. There are nine public-houses in Higham Ferrers, none of which belong to any members of the corporation. Seven of these houses are the property of Earl Fitzwilliam, the recorder, who is the proprietor of all the houses in the town, except five or six. It has already been stated, that Licenses are granted to the public-houses by the mayor and justice. — Licenses.

31. The Property of the corporation consists of rather more than 50 acres of land, and some houses and other buildings lying within the parishes of Higham Ferrers, Irthlingborough, Stanwick and Raunds. Of this property, 44 acres of arable land lying in Irthlingborough have been exchanged for 21 acres of meadow belonging to Earl Fitzwilliam, which is let to 21 members of the corporation at a rent of 2*l.* 10*s.* an acre; the whole amount being the same sum as the rent paid for the arable land to Earl Fitzwilliam. This exchange took — Property. Land and houses.

HIGHAM FERRERS.

place about 26 years ago. The meadow was formerly let at 3*l.* an acre; but the rent has been reduced, in consequence of the general reduction in the value of land. The present rent of 2*l.* 10*s.* is the same sum per acre as is paid to the earl for adjoining land of equal value. The meadow land appears to be more convenient to the occupiers than the arable would be, and the corporation are not losers by the exchange.

Interest of money, profits of fairs, &c.

The rest of the property consists of interest of 1,142*l.* at 4½ per cent. on a turnpike trust, and of small sums received for sheep-pens and stalls at the fairs, and of the town crier for the use of a bell. The whole income is 174*l.* 1*s.* 3*d.*

Debt.

32. The Debts of the corporation amount to 1,110*l.* They have been incurred to defray the following extraordinary expenses: 755*l.* 4*s.* the expense of erecting a new town-hall; about 100*l.* expended in a law-suit respecting the right of the corporation to a toll thorough; and about 80*l.* expended in building two cottages: five other cottages are now building, the expense of which is expected to be about 250*l.* or 260*l.*

Annual expenditure.

33. The Expenditure of the corporation for the year ending November 1832 was 228*l.* 6*s.* 11½*d.*; but from that sum must be deducted 60*l.*, an arrear of two years' interest paid within the year, a balance on the last year's account, and the monies paid for charities (which have been already mentioned), and which are brought into the general account. These sums amount to 78*l.* 10*s.*; and the annual yearly expenditure may be put at about 150*l.*, leaving a balance of 24*l.* The mayor stated that he thought some reductions of expenditure might be made, and that for the future the corporation would be able to save about 50*l.* a year for the liquidation of the debt. The expenditure is chiefly for land-tax, tithes, labour, &c., incidental to the corporation property, a charitable donation of 5*l.*, tradesmen's bills, salaries to officers, and entertainments to tenants.

State and prospect of the Town, extent, population.

34. Higham Ferrers contains 1,871 A. 1 R. 9 P. of land.

The Population was, in 1801 - - - - - - 726
1811 - - - - - - 823
1821 - - - - - - 877
1831 - - - - - - 965

Of whom 438 were males, and 527 females.

How families employed.

The Families employed in agriculture were in 1831 - - 61
" " trade and manufactures - - 98
" " not comprised in the above classes 56

Annual value of real property.

The annual value of the Real Property at the present time is estimated at 2,047*l.*

Assessed Taxes.

The Assessed Taxes for the last five years, ending April 5, were—

	£.	s.	d.
1829 - - - - - - - -	147	12	4
1830 - - - - - - - -	159	10	7
1831 - - - - - - - -	168	8	4
1832 - - - - - - - -	147	18	11
1833 - - - - - - - -	126	13	8

Parochial assessment.

The Parochial Assessments for the following years, ending March 25, were—

	£.	s.	d.
1830 - - - - - - - -	90	3	4
1831 - - - - - - - -	89	16	10
1832 - - - - - - - -	89	14	4
1833 - - - - - - - -	89	13	4

Houses above the value of 10*l.* a year.

There are only fifteen houses in the town of the rent of 10*l.* a year, and none of 20*l.*

Agricultural labourers earn from 10*s.* to 12*s.* a week, shoemakers about 15*s.* Lace-making, which formerly flourished here, has gone rapidly to decay, since the introduction of machinery, as all the work is done by hand. At present the wages earned in this business are extremely low. The labouring population, however, are very generally employed; not more than five or six at present have employment found for them by the parish. They receive 10*s.* a week.

Some inconvenience is felt from the town not being lighted, as three coaches pass through it every night. It was formerly lighted, the corporation providing oil, and a person to trim the lamps, and some public lamps, and the inhabitants putting up lamps near their own dwellings. This has been discontinued, on account of the funds of the corporation being low, and the inhabitants being unwilling to bear the expense of repairing the lamps.

Local Acts.

35. There are no local Acts.

36. I send the following documents with the Report:—

1. Copies of translations of the Charters.
2. A list of the principal officers of the corporation.
3. Account of the corporation property.
4. Account of the debts of the corporation.
5. The corporation accounts for the last year.

Geo. Long

REPORT

ON

THE CORPORATION OF HUNTINGDON,

(HUNTINGDONSHIRE.)

CONTENTS.

	Page
Local Limits	2287
Charters	2287
Title	2287
Officers	2287
Freemen or Burgesses	2288
Ruling Body	2288
Fees	2288
Courts	2288
Juries	2288
Police	2288
Gaol	2289
Fines	2289
Property	2289
Patronage	2289
Local Acts	2289
General State	2289
Documents sent with the Report	2290

CORPORATION OF HUNTINGDON.

Local Limits.

1. THE Local Limits of the Corporation of Huntingdon comprise the parishes of All Saints, St. John's, St. Mary's and St. Benedict's, and are accurately delineated under the name of Huntingdon in the boundary map of the new borough.

Charters.

2. The governing Charter was granted by Charles the First, in the sixth year of his reign. There are seventeen previous charters, a list of which accompanies our Report.

Title.

3. The Title is, "The Mayor, Aldermen and Burgesses of the Borough of Huntingdon."

Officers.

4. The Officers of the corporation named in the last charter are—

Mayor,
Recorder,
High Steward,
Twelve Aldermen (of whom the Mayor is one),
Town Clerk,
Two Serjeants-at-Mace,
Gaoler,
Constables, and
Beadle.

The other officers are—

Chamberlain, and
Foreman of the Commons.

The Mayor is appointed by the common council, and is removable by them for misconduct. The aldermen succeed to the office in rotation, according to seniority. He is, by virtue of his office, coroner, clerk of the market, and a magistrate. He presides (in the absence of the recorder and high steward) at the quarter sessions. He is the judge of the court of pleas, and formerly presided, as lord of the leet, at the court leet. His salary is 30 *l.* a year, and, as coroner, he receives a guinea on every inquest, which is paid over to the town clerk. Two dinners in the year have usually been given at the expense of the mayor, but for the last two years only one.

The Recorder is chosen for life by the common council.

The Marquis of Lothian is the present recorder, and has held the office for the last seven or eight years. He does not reside in Huntingdon, or the neighbourhood. The charter directs that the recorder shall be learned in the law. The common council consider the Marquis to be a person learned in the law, within the meaning of their charter, as he is a member of the highest court of judicature, the House of Lords. The recorder is a member of the common council, presides at the quarter sessions, and is a magistrate by virtue of his office. It has been usual for a long period to select a peer for this office. He has a salary of 40*s.* a year, which is paid over to the town clerk for his services.

The High Steward is also elected by the common council for life. The office has generally been held either by Lord Sandwich, or by some friend of his family. Mr. Poyntz, who was the guardian of Lord Sandwich, held the office till very lately, but has resigned it, and it is now vacant. The high steward is a magistrate, and presides at the quarter sessions in the absence of the recorder.

The Town Clerk is appointed every year by the mayor, but has usually been continued from year to year. He is clerk of the peace within the borough, and clerk of the court of pleas. His salary is 20 guineas a year, and he takes the usual fees of a justice's clerk, and fees on swearing in burgesses, the amount of which is trifling.

The Serjeant-at-Mace, Gaoler and Beadle are appointed annually by the common council, and are removable for misconduct. The serjeant-at-mace receives a salary of five guineas a year besides small fees. The gaoler has a salary of seven guineas, and his wife receives three guineas a year, as matron of the gaol. They both reside in the gaol, and are paid by a town rate. The beadle receives 7*s.* a week.

The Constables are appointed by the common council, and are removable.

The Chamberlain is annually appointed by the common council. He is always an alderman, and generally the mayor of the preceding year. He receives the corporate rents, and keeps the accounts, but has no emoluments or privileges.

The Foreman of the commons is appointed by a committee of burgesses, which is itself appointed by the common council. The common council has a *veto* on his appointment, and he is removable by the committee. His functions will be fully stated hereafter.

HUNTINGDON.

Freemen or Burgesses.

5. The Freedom of the corporation is acquired, 1st. by birth, 2d. by purchase, 3d. by grant. All sons of freemen born within the town are entitled to their freedom. Freemen by purchase are elected by the common council at their own discretion, without any limitation of numbers. Non-residents are admissible. (The terms freeman and burgess are synonymous.) Admissions to freedom by purchase have been strictly confined to political partisans. In one instance only does it appear to have been conceded to a political opponent; and a condition was then annexed that there should be no opposition to Lady Sandwich in the town.

Admissions by Grant are made by the common council without payment of fees. No freemen have been admitted by grant for many years.

The burgesses take an oath to be obedient to the mayor, and to observe the statutes and ordinances of the corporation.

All burgesses have votes for Members of Parliament for the borough, subject to the restrictions of the Reform Act respecting residence. They are exempted from corporate tolls throughout the kingdom, and pay only half stallage in the market of Huntingdon. All the inhabitants of the town are exempted from serving on juries for the county. There are 87 resident and about 70 non-resident burgesses.

Ruling Body.

6. The common council is the Governing Body of the corporation, and consists of 12 aldermen (one of whom is always mayor), and the recorder. They fill up vacancies in their own body from the burgesses, and if the votes are equal the mayor has a casting vote. All burgesses are eligible whether resident or not. The members of the common council have hitherto only admitted persons of their own political opinions into their body. There are now three vacancies in the council, one occurred in the year 1830, and the two others in 1833. By the charter vacancies are to be filled up in three months, but the common council have not been able to find persons willing to undertake the office. Under these circumstances an alderman's gown has been offered to a political opponent, and refused.

Fees.

7. The burgesses by birth pay an admission fee of 2*l.* 16*s.* 2*d.* including the stamp. Those by purchase, 5*l.* 17*s.*, besides 42*l.* to the corporation. Aldermen pay nothing on their election. The recorder and high steward pay ten guineas each to the town clerk.

Courts.

8. The Courts of Huntingdon are the quarter sessions, a court leet, and a court of pleas. The recorder, and in his absence the high steward, takes the chair at the quarter sessions, but they seldom attend, and in the absence of both, the mayor presides. The senior alderman and the mayor of the preceding year are also magistrates, and usually attend at the sessions. The presence of two magistrates is required by the charter. The jurisdiction of the sessions extends to the whole borough, and is exclusive. Capital cases may be tried, but either the recorder or the high steward must be present. No trial for a capital offence has occurred at the sessions within the time of living memory. These, and all crimes of a heinous nature, are tried before the judges at the assizes. The usual quarter sessions process is adopted, and the fees are the same as those taken at the county quarter sessions. The magistrates sit in petty sessions every Wednesday. The mayor of the last year having died, there are at present only two acting magistrates in the town. They are both resident, but at some former periods the mayor, and at other times an alderman, acting as a magistrate, has been non-resident.

The court leet has been discontinued since the year 1825. This seems to have been occasioned by a dispute between the ruling body of the corporation and the burgesses, about some regulations respecting the stocking of the commons, an account of which will be given more fully under another head. (*See* 13. Property.)

The mayor is the sole judge of the court of pleas, which is held every three weeks. All sorts of actions, and to any amount, may be brought in this court, but causes are removable to the superior courts at Westminster, at the discretion of either the plaintiff or the defendant. No cause however appears to have been removed for a very long time. The court has the power of arrest on mesne process. The proceedings are by declaration, plea, &c. The actions are usually brought for very small sums, and settled by arrangement between the parties, at the recommendation of the court, and without the intervention of a jury. Four or five suits are thus usually disposed of at every court. The demands are generally under 10*l.*, and as the defendant has often a set-off, the sums recovered seldom amount to 2*l.* No jury has been summoned for many years. The average expense of settling a cause, without a jury, is 3*s.* 6*d.* There is no table of fees, but when the case has proceeded beyond the process, the practice has been to take half the fees allowed in the King's Bench. Any attorney of the superior courts may practise here, on taking an oath, and paying 3*s.* 4*d.* Execution can only be had within the limits of the corporation. This court appears to be extremely beneficial, and to give satisfaction to the inhabitants.

Juries.

9. The Juries are selected by the town clerk from the inhabitants generally, whether burgesses or not, and he appears in general to take them in turn. The grand jury are taken from the wealthier classes, though no qualification as to property is requisite. The aldermen do not serve on juries, as it is understood to be part of their duty to be assisting the mayor in the court.

Police.

10. There are two watchmen, four parish constables, and the beadle and crier are both constables. The watchmen are appointed by the magistrates chiefly for the night duty. Both are employed every night in the year. The common council appoint a constable for each parish, and special constables on particular occasions, the inhabitants willingly assisting.

A considerable

A considerable difference of opinion exists among the inhabitants respecting the efficiency of the police. The corporation have no concern in the management of the poor, but they have allowed a house belonging to them, called St. Margaret's Hospital, to be used for the reception of casual poor for the last three or four years.

11. The number of prisoners in the town Gaol never exceeds three or four, and at present there is only one. The gaol contains two day rooms and a solitary cell. Another room is used by the female prisoners, both as a day room and a sleeping room. We found the gaol clean and in good order. The prisoners of different classes are in general kept separate, but this is not at all times practicable, from the smallness of the prison. There are seldom prisoners here both for trial and in execution. Those who are convicted before the judges are sent to the county gaol. There is no chaplain, but a clergyman has occasionally attended the prisoners gratuitously. Till the building of a new county gaol four or five years ago, the county and the town prisoners were kept in the same prison, and the chaplain of the county gaol attended on both. The magistrates occasionally visit the gaol. The mayor has been there two or three times in the course of the last year. There is no employment for the prisoners. Gaol.

12. Fines are sometimes imposed on members refusing the office of mayor or alderman. The fine has never amounted to so large a sum as 20*l.* The corporation have claimed the fines imposed by way of punishment at the sessions, and the claim has been allowed by the Exchequer; no fines, however, have been imposed for a long time. Fines.

13. The accounts of the corporation are kept in a very confused and unsatisfactory manner. The death of the chamberlain has prevented the making up of the corporation accounts for the last year. The account for the preceding year (the last which has been settled), accompanies the report. It appears from this document, that the receipts for that year amounted to 145*l.* 13*s.*, and the disbursements to 197*l.* 15*s.* 4*d.*, leaving a balance of 52*l.* 2*s.* 4*d.* due to the mayor. The Property consists chiefly of houses, water corn mills, land, and the town tolls, as stated in an accompanying schedule, and the disbursements are for tradesmen's bills, interest of money, &c. The corporation owe Lord Sandwich 2,000*l.* There is no entry of any part of this debt in the corporation books except a bond for 200*l.* They are indebted to the town clerk in at least 2,700*l.* for law expenses. The debt to Lord Sandwich was originally incurred for the purpose of paying law expenses, and has been increased by interest remaining unpaid. The corporation are still engaged in an equity suit respecting a charitable institution called St. John's Hospital. It does not appear that they possess any means or have any probable expectation of being able to pay these debts. The borough has been for a long period constantly represented in Parliament by individuals who have been either relations or friends of the Earl of Sandwich. The burgesses have no access to the accounts of the expenditure of the corporation, which are audited by the common council, and are not published. If the burgesses were desirous of seeing them, it is understood that an inspection would not be permitted. The burgesses are entitled to put cows, horses and sheep on certain commons near the town, paying 18*s.* for each cow and 1*l.* for each horse, which is levied under a rate made on all the commoners. Each burgess is allowed to put three cows, two horses and 30 sheep upon the commons, and if the total number of sheep does not amount to 700, 10 more are allowed to each commoner. Every commoner who does not send stock, receives annually the sum of 1*l.* 6*s.* 8*d.* Formerly regulations respecting the time of stocking the commons, and the number of cattle, &c. to be put upon them, were made by the leet jury and presented to the mayor for his approval. Since the leet jury has been discontinued, a committee has been annually appointed by the common council, for the purpose of regulating the commons. The committee appoint one of their number foreman or overlooker of the commons. He levies the commons rate, which is approved of by the mayor and common council, and he pays all charges, sums, rates, &c. for the commons, and also for additional land occasionally hired for the commoners. His salary is 10*l.* a year. The rate is always made to defray expenses already incurred. The accounts are annually brought before the committee, and audited and signed by them. His receipts last year were 429*l.* 14*s.* 8*d.*; his disbursements 390*l.* 5*s.* 4*d.* The foreman receives yearly the sum of 56*l.* 12*s.* from Lord Sandwich. The town clerk, who is the steward of Lord Sandwich, said it was a gratuity to the burgesses of Huntingdon. The foreman of the commons, on the other hand, stated, that it was entered in his accounts as Lord Sandwich's interest, and that he understood it to be interest of money borrowed by him from the burgesses. Many of the inhabitants are much dissatisfied with the discontinuance of the assembling of the leet jury, and consider the present mode of regulating the commons to be illegal. There has been a trial at the assizes on this subject, and a case reserved for the opinion of the court, which has not yet been argued. Property.

14. The common council claim the right of appointing the master of St. John's Hospital. A chancery suit is now pending respecting this claim. They have no other Patronage. Patronage.

15. 25th Geo. III. c. 9, for paving and lighting the town, is the only local Act affecting Huntingdon. Local Act.

16. The town lies in an agricultural district, and has participated in the general depression of the agricultural interests for some years past; its appearance, however, is neat. It General State.

HUNTINGDON.

has been lately lighted with gas, and seems to be in a flourishing condition. The population at the last four Censuses stood thus:—

In 1801 - 2,035 - - 1811 - 2,377 - - 1821 - 2,806 - - 1831 - 3,267; of whom 1,543 were males, and 1,724 females.

Occupations:

Families employed in agriculture - - - -	2
Ditto, trade, manufactures, &c. - - - -	313
Ditto, not comprised in above classes - - -	355

Annual value of real property, 1815 - -	£. 6,751	-	-
Assessed taxes for years ending 5th April—			
1829 - - - -	£. 1,725	7	1¾
1830 - - - -	1,791	2	11¼
1831 - - - -	1,772	15	1
Parochial assessments for years ending 25th March—			
1825 - - - -	£. 1,808	17	-
1829 - - - -	1,705	10	-

Number of houses in 1830—

£. 10 and under £. 20 rent - -	123
20 „ 40 „ - - -	64
40 and upwards - - - -	13
Total £. 10 and upwards -	200
Registered voters, about - - - - - -	327

The labourers earn good wages, and all the inhabitants of the town have the means of educating their children. The poor-rates have increased of late.

We think that the constitution of this corporation, which vests the whole municipal authority in the hands of a self-elected body of thirteen individuals, is highly objectionable in principle and practically injurious, as will appear from the following statements:

1st. A devoted attachment of the corporation to a particular political interest has been proved to exist, and an exclusion of all those of adverse political sentiments from the ruling body, and (as far as is practicable) from the privileges and advantages of freemen.

2d. There appears to have been an improvident management of the funds of the corporation, by which a very large debt has been incurred without any rational hope of liquidation. This state of things, we conceive, could hardly have existed if the respectable householders of the town had been admitted to a participation in the municipal government, or even if the corporation accounts had been regularly and periodically made public.

3d. The disputes respecting the mode of stocking the common, and the conflicting claims of the corporation and freemen, have probably been occasioned by the defective constitution of the corporation. The respective rights of the contending parties would, we think, have been more accurately defined and better understood if the freemen had possessed the means of becoming acquainted with the acts of the ruling authorities, or of making their own sentiments known.

4th. A general discontent appears to prevail throughout the town, and the magistrates are very unpopular, from the relation in which they stand to the inhabitants, though, as private individuals, they are highly respected. "The magistrates," said an intelligent witness, "are men of high character, quite irreproachable, but very unpopular from the badness of the system. If more popularly elected, their moral influence would be greater. I think there would be more union and good feeling. I think the same individuals would be elected, and have the affections of the people on their side."

Many of those who were examined were of opinion, that the creation of an intermediate body to be elected by the 10*l.* householders, and giving to the persons so chosen the right to elect the executive body of the corporation, would be extremely beneficial measures; several expressed a strong opinion in favour of electing the intermediate body by ballot; and all agreed, with one exception, that a 10 *l.* constituency, without the ballot, would produce very little good in Huntingdon. One individual decidedly objected to the ballot. Many thought that a union between this corporation and that of the adjoining town of Godmanchester would be desirable; but there are strong objections made to this measure on the part of the corporation of Huntingdon and their friends.

Documents sent with the Report.

We have sent with this Report the following documents:—

1st. A copy of the charter 6 Charles I.
2d. A list of the preceding charters.
3d. A schedule of the property of the corporation.
4th. The mayor's account of receipts and disbursements for the year 1830 and 1831.
5th. An account of the town tolls.
6th. The regulations for stocking the common.

Geo. Long.
John Buckle.

REPORT

ON

THE BOROUGH OF IPSWICH.

(SUFFOLK.)

CONTENTS.

Sect.		Page
I.	Limits and Extent of the Borough	2293
II.	Incorporation and Charters	2293
	Charter of John	2293
	40 Hen. 3.	2294
	19 Edw. 1.	2294
	10 Edw. 2.	2294
	12 Edw. 3.	2294
	2 Ric. 2.	2294
	3 Ric. 2.	2294
	24 Hen. 6.	2294
	3 Edw. 4.	2294
	2 Ric. 3.	2294
	3 Hen. 7.	2294
	3 Hen. 8.	2294
	10 Hen. 8.	2294
	13 Hen. 8.	2294
	1 Edw. 6.	2294
	2 Eliz.	2294
	Paving Act, 13 Eliz.	2294
	Charter of 2 Ja. 1.	2294
	10 Car. 1.	2294
	17 Car. 2.	2294
	Surrender of Charters	2295
	Restoration of Charters	2295
III.	Corporate Body and Constitution	2295
	Title	2295
	Integral parts of the Corporation	2295
	Governing Body	2295
	Deliberative Body	2295
	Official Body	2295
	Election of Officers and Qualifications for Office	2295
	Functions, Privileges and Salaries of Officers	2296
	1. Officers composing the Assembly	2296
	Bailiffs	2296
	Portmen	2297
	Common Councilmen	2297
	2. The Assembly	2298
	State of Parties	2298
	Club Influence	2298
	3. The High Steward	2299
	4. Officers connected with the Jurisdiction	2299
	Recorder	2299
	Town Clerk	2300
	Coroners	2301
	Gaoler	2301
	Gaol Surgeon	2301
	Bridewell Keeper and Hospital Guide	2301
	5. Officers having the Custody of the Records	2302
	Clavigers	2302
	6. Officers connected with the Town Revenues	2302
	Town Treasurer	2302
	Treasurer of the Marshalsea Rate	2302
	Chamberlains	2302
	Accountant	2303
	Water Bailiff	2303
	Collector of Town Dues	2303
	Deputy Clerk of the Market	2304
	7. Officers for Religious Instruction	2304
	Lecturer of the Corporation	2304
	Chaplain of the Gaol	2304
	8. Official Servants	2304
	Serjeants at Mace	2304
	Crier	2304
	Beadles	2304
	Crane Porters	2304
	9. Nominal Officers	2304
	Flesh Wardens	2304
	Ale Conner	2304
	Leather Searcher and Sealer	2304
	Freemen or Burgesses:	
	1. Title to Freedom	2304
	Birth	2304
	Apprenticeship	2305
	Purchase	2305
	Gift	2305
	Burgess Oath	2305
	2. Collective Functions and Privileges	2305
	3. Personal Privileges and Exemptions	2306
	4. Present Extent and distribution of the Franchise	2306
	5. Character of the Freemen as a Constituency	2309
IV.	Jurisdiction, Nature and Extent	2314
	Magistracy	2314
	Local Courts	2314
	1. Sessions, General	2314
	Borough Rate	2315
	Petty	2316
	2. Of Pleas	2316
	3. Admiralty	2317
	4. Petty	2317
	5. Portman's Mote	2317
	6. Leet	2317
	7. Of Requests	2317
	Police	2318
	Gaol	2318
	Licenses	2319
V.	Patronage:	
	Master of the Grammar School	2319
	Governors of Christ's Hospital	2320
	Living of Gedding	2320
	Wardens of Hospital Foundations	2320
VI.	Property:	
	1. Water Rental	2321
	2. Lands	2322
	3. Buildings in the Town	2323
	4. Petty and Quit Rents	2323
	5. Town Dues	2323
	Summary of Revenue	2324
	Debt	2325
	Expenditure	2327
	Alienations	2329
	Accounts and Audit	2329
VII.	Funds and Revenues specifically appropriated	2330
	Hospital Revenues	2331
	Grammar School	2332
	Lending Cash Fund	2333
	Various Charity Funds	2334
VIII.	State of the Town and Port	2335
	Population	2335
	Occupations	2335
	Property	2336
	Houses	2336
	Local Taxation	2336
	Trade	2337
	Local Acts	2337
IX.	Summary and Observations	2338
X.	Documents	2340

CORPORATION OF THE BOROUGH OF IPSWICH.

I. LIMITS and Extent.

THE borough of Ipswich is co-extensive with the 14 parishes of St. Clement, St. Helen, St. Lawrence, St. Margaret, St. Mary-at-Elms, St. Mary-at-the-Quay, St. Mary Stoke, St. Mary at the Tower, St. Matthew, St. Nicholas, St. Peter, St. Stephen, Westerfield and Whitton.

The borough comprises the whole town, which lies nearly in its centre. Its circuit is about 20 miles, and its area 7,020 English statute acres.

The boundary is marked by posts, and there is a periodical perambulation by the corporate officers. The following description of the Limits appears in the corporation map:

'The district comprehending the liberties of Ipswich, is situated on the south-eastern p of the county of Suffolk. It is bounded by Bosmere and Claydon Hundred on the north, Carlford on the east, Colnies on the south-east, Samford on the south, and Samford and Bosmere and Claydon on the west. Its greatest length, from Westerfield Wood on the north, to King John's Ness on the south, is 5 M. 1 F. 30 R. Its greatest breadth from Spright's-lane on the west, to the two-mile stone, Rushmere Heath, on the east, is 4 M. 2 F. 8 R. Its circuit is 19 M. 1 F. 20 R. and its superficial content 8,450 acres."

No disputes have arisen on the subject of this boundary, nor was it thought necessary to make any change in forming the new Parliamentary borough.

The limits of the corporate jurisdiction over the waters will be stated hereafter, under the head of Admiralty.

II. INCORPORATION and CHARTERS.

Ipswich is a borough by prescription.

Charter of John, A. R. 1.

Its earliest Charter was granted by King John, in the first year of his reign. He gave the royal borough to the burgesses, with all its liberties and free customs, to hold of the Crown, at the accustomed farm, which was to be paid at the Exchequer yearly, by the hands of their provost, and 100 *s.* over and above what they used to pay.

The municipal privileges conferred by King John were these:

That the burgesses should enjoy an exemption from all toll, lastage, stallage, passage, pontage and other customs throughout his lands and seaports; and all men were forbidden to take such tolls from the men of Ipswich, under a penalty of 10 *l.*

That none should plead out of the borough of any other plea than that of foreign tenure, excepting the King's officers.

That they should have a merchant's guild, with their own hanse.

That no person should be lodged within the borough without the consent of the burgesses, or take anything from them by compulsion.

That they should hold their lands and tenures within the borough, according to the custom of this and other free boroughs of the Crown; and that pleas might be there held of debts and pledges contracted and made within the liberties.

That none should have judgment against him for money, but according to the laws of free boroughs.

That by their common council they might choose two of the more lawful and discreet men of their town, well and faithfully to keep the government of the borough, and not to be removed except by the common council, as long as they behaved well in that bailiwick.

That four of the more lawful and discreet men of the borough should be chosen by the common council out of the burgesses, to keep the pleas of the Crown, and other matters within the borough appertaining to the Crown, and to see that its governors conducted themselves justly and lawfully towards the poor as well as the rich.

The liberties and free customs of the city of London were saved by a special proviso in the charter.

Corporate proceedings in pursuance of the Charter.

It is matter of local history, that in the year after this Charter was granted the burgesses held their first great court in the church-yard of St. Mary-at-Tower, for the election of bailiffs. This court was adjourned, and at their next meeting they elected four persons from each parish, who were to choose the first twelve portmen; having previously resolved that there should be twelve portmen, as in other free boroughs of England. At the following meeting a common seal was ordered, and they chose an alderman of the merchants' guild, with four assistants.

The second great court was held on a Sunday in the same church-yard. The common seal was produced and three clavigers were elected to have the custody of the seal and the charter.

Soon after this court the priors of Trinity and St. Peter with Roger Earl of Norfolk were admitted burgesses of the borough. The two former paid on their admissions, one 20 *s.* and the other a mark, towards the expenses incurred in procuring the charter. The Earl had assisted the burgesses in obtaining it, and he was created the first honorary freeman.

IPSWICH.

Charter of Hen. 3, A. R. 40. Henry 3, A. R. 40, increased the privileges of the burgesses, by granting them the return of all the King's writs, concerning the town and its liberties; the power of appointing coroners; and a free trade in merchandize brought to their port, without the hindrance of forestallers.

19 Edward 1. For certain offences and excesses committed by the burgesses against King Edward 1, he seized the borough into his own hands; but afterwards restored it to them with all its liberties, by a Charter dated in the 19th year of his reign. A fee-farm rent of 60 *l.* was at the same time reserved to the Crown.

The burgesses then elected 24 men to collect and enroll the ancient usages and customs of the borough. The election of these 24 appears to have been the origin of the present common council, which consists of the same number.

10 Edward 2. Edward 2, in the 10th year of his reign, after confirming the existing liberties, with some slight modifications, granted to the burgesses an acquittance of murage, picage, anchorage, strandage and segeage, for all their goods and merchandize throughout his dominions.

By this charter the number of coroners was reduced from four to two.

12 Edward 3 Edward 3, by an inspeximus, dated in the 12th year of his reign, confirmed the previous charters.

In the 18th year of the same reign the municipal government appears to have been a second time taken away from the corporation, and committed to the sheriff of the county, who appointed a keeper of the town. One court was held before the keeper; but at the next court the bailiffs again presided.

2 Richard 2. Richard 2, by a charter granted in the 2d year of his reign, empowered the bailiffs to take cognizance of all pleas concerning lands, tenements and rents, as well by writs of assize, as by the other Crown writs; and also of pleas concerning trespasses, debts, contracts, covenants of assize, fresh force, and all other pleas whatever, arising within the borough.

3 Richard 2. In the following year the liberties of the burgesses were again confirmed by a new charter.

Henry 6, A. R. 24. Henry 6, in the 24th year of his reign, newly incorporated the town with an extension of privileges.

His charter is not noticed in that of Edward 4, which follows.

3 Edward 4. Edward 4, in the 3d year of his reign, after confirming the liberties of the borough, established the present local jurisdiction, both criminal and civil. He also granted the offices of admiral and escheator; excluding the Admiral of England, the stewards and marshals of his household, and all escheators of the Crown from any interference within the precincts of the town.

2 Richard 3. Richard 3 granted a charter of confirmation in the 2d year of his reign.

3 Henry 7. Hen. 7, by an inspeximus, dated in the 3rd year of his reign, confirmed all former charters.

Henry 8, A. R. 3. 10. 13. Hen. 8, by a further inspeximus, dated in the 3d year of his reign, again confirmed all former grants; and afterwards added a license to purchase and hold lands not exceeding in value 50 *l.* a year.

In the same reign, two other charters were granted, under which the borough claims its present Admiralty rights, and the soil of the river.—(*See* Freemen; Privileges.)

They are respectively dated A. R. 10, 13.

1 Edward 6. These were confirmed by an inspeximus of Edw. 6, dated A. R. 1.

2 Elizabeth. Again, by an inspeximus of Queen Elizabeth, dated A. R. 2.

The Queen also granted two charters for the regulation of the grammar school and of Christ's Hospital. The first is dated A. R. 2. the second A. R. 8.

By the second she granted to the bailiffs, burgesses and commonalty an annuity of 38 *l.* 13 *s.* 4 *d.* out of the fee-farm rent originally reserved by the charter of John, and afterwards fixed by Edw. 1, at 60 *l.* a year. This annuity was appropriated to the support of the master and usher of the school.

Paving Act, 13 Elizabeth. In the 13th year of the same reign, an Act was passed for Paving the town. The Act directed that the inhabitants should pave those parts of the streets which passed before their respective houses and premises, as far as the channel, or such other place as the bailiff for the time being should appoint; and power was given to the 12 headboroughs, who were chosen among the 24 common councilmen, to present all persons refusing to pave the streets according to such appointment, as well as all other nuisances and encroachments. The bailiffs were also empowered to enforce the removal of such nuisances by fines and other punishments.

2 James 1. 10 Car. 1. The existing charters were confirmed by James 1, A. R. 2, and by Car. 1, A. R. 10.

17 Car. 2. Charles 2d, on the petition of the corporate body, ratified their ancient liberties, privileges and customs; fixed the election of the portmen, and 24 chief constables; appointed a recorder and common clerk, and prescribed the mode of electing their successors; empowered the common council to impose fines on those who refused to serve municipal offices; added

the

IPSWICH.

the recorder to the magistracy of the borough; defined the local jurisdiction; and ordered all corporate officers to take the oaths of allegiance and supremacy.

In the same reign this corporation, like many others, surrendered its charters, franchises and privileges to the King. The borough was reincorporated with a new constitution, A. R. 36; and by a charter of James 2, A. R. 4, the corporate officers were released from the oaths. Surrender to Car. 2. 36 Car. 2. 4 Jas. 2.

The ancient rights and constitution of the town, which were restored by the proclamation of James, and the Act of his Council, are to be found in the charters of John, Edw. 4, Hen. 8, and 17 Car. 2, which are all considered as governing charters. Translations accompany this Report. Restoration of Charters.

III. CORPORATE BODY and CONSTITUTION.

The Corporate Body, according to the charters and Constitution of the borough, consists of two bailiffs, 12 portmen, 24 common councilmen, and an indefinite number of burgesses or freemen.

The Title of the corporation is, "The Bailiffs, Burgesses, and Commonalty of the Town and Borough of Ipswich, in the County of Suffolk." Title.

The bailiffs, portmen, and common councilmen form a Deliberative Assembly. The Governing Body is not distinguished from the corporate body. Governing and Deliberative Bodies.

The Constitution will be reviewed, first with reference to the Official Functionaries, and then with reference to the Burgesses or Freemen.

The Official Body may be distributed into the following classes: Official Body.

Officers composing the Assembly, or Deliberative Body:
- Two Bailiffs.
- Twelve Portmen.
- Twenty-four Common Councilmen.

The High Steward, whose office is merely honorary.

Officers connected with the Jurisdiction:
- Recorder.
- Town Clerk.
- Two Coroners.
- Gaoler.
- Gaol Surgeon.
- Keeper of House of Correction. (Also Hospital Guide.)

Officers having the Custody of Records:
- Three Clavigers.

Officers connected with the Town Revenue:
- Town Treasurer.
- Treasurer of the Marshalsea Rate.
- Two Chamberlains.
- Accountant.
- Water Bailiff.
- Collector of Town Dues.
- Deputy Clerk of the Market.

Officers for Religious Instruction:
- Lecturer.
- Chaplain of the Gaol.

Official Servants:
- Four Serjeants at Mace.
- Town Crier.
- Two Beadles.
- Four Crane Porters.

Officers whose Functions are obsolete:
- Two Fleshwardens.
- Ale Conner.
- Leather Seller.

The Bailiffs, high steward, recorder, town clerk, coroners, clavigers, town treasurer, accountant, lecturer, water bailiffs, collector of town dues, bridewell keeper, and crier, are elected by the whole body of freemen. Election of Officers, and Qualification for Office.

The Portmen and Common Councilmen are self-elected, each by a majority of their respective bodies.

The Gaoler, chaplain of the gaol, surgeon of the gaol, and treasurer of the Marshalsea rate, are appointed by the borough magistrates.

The Serjeants at mace, and the remaining officers, are appointed by the bailiffs.

IPSWICH.

Freemen alone are eligible for all corporate offices, except those of high steward and recorder, which may be held without the franchise.

Periods of Office.

The high steward, the recorder, the portmen and the common councilmen are elected for life.

The bailiffs, the town clerk, and all the others, are annually elected; the bailiffs and superior officers on the 8th of September, the inferior officers on the 29th of September.

Functions and Privileges of Officers.

The Functions, Privileges and Salaries of these several officers will be stated in the order of their classification.

1. Officers composing the Assembly. Bailiffs.

The Bailiffs, one or both, preside at all corporate assemblies, and at all the borough courts, both criminal and civil.—(*See* Assembly; Freemen; Jurisdiction.)

They are the chief magistrates of the town; admirals of the port; and conservators of the river.—(*See* Jurisdiction; Town Dues.)

They are also returning officers of the borough; clerks of the market; escheators of the Crown; commissioners under all local Acts of Parliament; and joint-trustees of Tooley's Foundation, Crane's Charity, and Christ's Hospital. (*See* Patronage; Funds and Revenues specifically appropriated.)

They annually appoint four assistant magistrates from the body of portmen, besides the inferior officers already enumerated.—(*See* Portmen.)

The expenditure of the corporation is so far under their control, that no payment exceeding 10*l.* can be regularly made by the treasurer without their order.—(*See* Town Treasurer; Debts; Expenditure.)

Their Salary is 55 *l.* each, which is generally spent, and a great deal more, in defraying the expenses of their election. In addition to this salary, they are entitled to two bushels of coals from every ship that imports coals, unless it is the property of a freeman; and 2 *d.* of fish from every boat. The coals only are claimed, and each bailiff receives about 12 chaldrons a year. A fee of 1 *l.* 11 *s.* 6 *d.* is also paid to each, under the name of the "bailiff's lantern," which is supposed to be expended in lighting their wives home by night.

As lords of the manor of Ulverston and Sackville, in Debenham, belonging to Tooley's and Smart's Foundation, they claim the right of sporting over the estates of that charity. Other privileges connected with the patronage of the corporation, and the funds under its control, will be stated hereafter.

The persons selected for the office of Bailiff have almost invariably been either Portmen or Common Councilmen. These two bodies are politically opposed to one another, and the bailiffs are chosen from that which happens to have the ascendancy. For many years prior to 1820 they were chosen from the council, without any election contest; since 1820 the contests have been frequent. The following Table shows their numerical character:

YEAR.	Majority.	Minority.	YEAR.	Majority.	Minority.
1820 - -	495	465	1827 - -	249	216
	489	462		247	216
1821 - -	397	330	1830 - -	309	126
	395	328		309	124
1823 - -	450	435	1831 - -	478	317
	449	435		477	316
1825 - -	468	425	1832 - -	277	45
	467	424		277	—
1826 - -	247	133	1833 - -	234	59
	236	71		227	—
	—	4			

The proceedings at the borough elections, and the various means of influence resorted to, will be fully reported under the head of "Freemen," in whom the right of election is vested. Under this influence, persons ill qualified for the office have been chosen, and magistrates have ruled the town without enjoying either the confidence or the respect of the inhabitants. The use and abuse of their official powers will appear as we proceed.

The two present bailiffs were selected from the council. One of them was the town treasurer of last year, and the other was the treasurer of the year before. Neither has yet rendered any account.—(*See* Town Treasurer.)

The former is a junior partner in the bank of Messrs. Bacon & Co., which is the bank used by the corporation. The latter is a miller and corn dealer in the town, and lessee of a corporation mill. Both have served the office before.

No provision is made either for death or removal. In 1828 one of the bailiffs died, and the survivor disclaimed. The town was consequently without a bailiff, and the corporation without a head. There are other instances of deaths during the year of office.

In 1825, from the 25th of June to the 21st of July, there was no chief magistrate. The officers elected had been irregularly admitted as freemen, three years before, and they were removed from their office by judgment of Ouster.—(*See* Freemen..)

There

IPSWICH.

There are no modern instances of removal by the corporation, or of refusal to serve the office. The last refusal was in 1701, when a fine of 100*l.* was imposed.

Portmen.

The Portmen, in their official oath, swear that they will well and faithfully help to govern and keep the town; uphold its liberties, franchises and good customs; and give their full aid in maintaining the judgment of its courts, without respect of persons.

Although they form one of the constituent parts of the Deliberative Assembly, their presence is not considered essential to the exercise of its functions.

By a decision of the House of Commons, made in 1714, two of them must be present at the admission of freemen. In a recent instance, however, the franchise was conferred on one of the present council, in the absence of the portmen. A protest was entered by one of them, and there the matter dropped.

The number of this body is now reduced to four, and consequently the power vested in the bailiffs, to choose out of the 12 four assistant magistrates, is in abeyance, and all the portmen are annually appointed magistrates. In 1808, the bailiffs, in order, it is said, to secure a majority at the sessions, nominated only two; but a *mandamus* issued, and they were advised by their recorder to appoint two others. The appointment takes place on Michaelmas-day, when the new bailiffs are sworn into office.

Besides their constitutional and magisterial functions, the portmen are commissioners under all local Acts, and wardens and patrons of certain charities, held in trust by the corporation.—(*See* Patronage.)

Their only emolument arises from certain marshes in the town, called the Portmen Marsh. The extent of these lands is about seven acres; and the annual receipts 20*l.*, which are divided among the four. This is the donation of a former member of their own body, and given for their private use.

They are removable from office by a majority of their own body, and an instance of a motion occurred in 1808, when Sir John Hadley D'Oyley, bart. was removed "on account of his having left England to reside in India."

As the portmen are self-elected, and their number is reduced from 12 to four, they have lost the power of filling up vacancies; so that an integral part of the corporation is now in a gradual state of dissolution. The last legal election was in 1808, when there were six vacancies. In 1820 they attempted to restore this number by electing two others, but a *quo warranto* issued, and the election could not be supported.

This gradual extinction of the body is a consequence of the state of parties in the corporation, coupled with the qualification for municipal office, which is required by the constitution. It has already been observed, that the portmen and common councilmen are political opponents, and that the bailiffs are generally chosen from the latter, with the privilege of selecting magistrates from the former. By the constitution, freemen alone are qualified for the office of portmen, and such is said to be the present condition of the freemen, that the only persons among them who are competent for the discharge of magisterial duties, are the common councilmen. If then the portmen had filled up their vacancies from the common councilmen, the bailiffs might, and probably would, have appointed the assistant magistrates from their own party only; and the same exclusive character, which now belongs to the council, would have been transferred to the magistracy. To avoid this evil, without electing incompetent functionaries, they have allowed their vacancies to go on increasing, till they can no longer form a valid electoral assembly.

The present four portmen are,

Two resident attornies, one of whom was elected in 1798, and the other in 1808.

A merchant, residing at Whitton, elected in 1808.

A non-resident, without any known profession or occupation, elected in 1805.

The three first have acted as magistrates for many years, and have all served the office of bailiff: the fourth was only appointed last year, on the death of one who was resident.

Common Councilmen.

The Common Councilmen form the third constituent part of the deliberative assembly; and without the presence of some of this body, no court can be held by the freemen.

They are sworn to "put their deligence to come to the great courts and assemblies of the general counsel of this town;" and to be "obedient and at the commandment of the bailiffs." The number attending is uncertain, and is said to vary from four to ten.

In the charter of Charles 2d, they are called the 24 chief constables of the town or borough, and in that character warrants are still directed to them by the magistrates, for raising a borough rate.—(*See* Sessions.) Since the Paving Act was passed, they have ceased to perform any other duties incident to the office of constable.

They are exclusively eligible to the office of coroner and claviger, and they are commissioners under all the local Acts. Their official connexion with the patronage and charities will be stated under those heads.

These are the only constitutional functions and privileges of the council. In practice, the bailiffs, town clerks, and town treasurers, have been generally chosen from among its members; so that most of the important annual offices have been distributed among them.

Their exclusive party character has already been noticed, and the exclusion extends as well to Dissenters as to political opponents. Their official character, as members of the Deliberative Assembly, and as ministerial officers of the corporation, will appear as we proceed in the Report. It will be found that, without any authority whatever, individual members of the council have been allowed to dispose of and appropriate considerable sums of money belonging to the corporation, and to the charities under their control.

IPSWICH.

The present members are three bankers, six attornies, several tradesmen, a spirit merchant, an army surgeon, and the comptroller of customs in the port.

The three first are partners in the bank of Messrs. Bacon & Co., where the corporation keep an account, and one of the three is bailiff.—(*See* Debt.)

Of the six attornies, one is a partner in the same bank; another is the present town clerk; a third is both coroner and claviger, and a lessee of the corporation; a fourth is the town treasurer; the fifth, a bankrupt resident in London; and the sixth, an insolvent. The two last have been frequently re-elected town clerks and chief magistrates of the borough; their official character as town clerks will presently appear.—(*See* Town Clerk; Clavigers; Town Treasurer; Property.)

Among the tradesmen are,—

A miller and corn-dealer, one of the present bailiffs, who is the lessee of a corporation mill.

A plumber, who is joint-lessee of the corporation water-pipes.—(*See* Water-Rental.)

A builder, who has received a large sum of money from the corporation funds, without any settlement of his accounts, and who is also a lessee of corporation lands.—(*See* Debts; Expenditure.)

A potter, lately appointed treasurer of Tyler's Charity, and who is described by one of the borough magistrates as unfitted for the office by habitual intoxication.—(*See* Charity Funds.)

A cheesemonger, recently a bankrupt, and a lessee of the corporation.

A baker, (also one of the clavigers,) who supplies the gaol, and whose son-in-law is the tenant of a charity estate under the control of the corporation.—(*See* Christ's Hospital Revenue.)

A carpenter, whose conduct as renter-warden of a charitable institution will be specially reported under the head of "Patronage".—(*See* Hospital Foundation.)

A tinman and brazier, who is a lessee of the corporation.

The comptroller of customs in the port is also one of the clavigers, and among the most zealous partizans of the council.—(*See* Freemen.)

The army surgeon is a lessee of the corporation.

The spirit merchant was recently created a honorary freeman, and then elected a member of the council. He is treasurer of a political club in the town, which exercises a considerable influence over its municipal affairs.—(*See* Assembly; Club Influence.)

All the members of the council are resident, except one. At present there are three vacancies.

2. The Assembly.

The Bailiffs, Portmen and Common Councilmen are the three component parts of the Assembly, which is the Deliberative Body of the corporation.

This assembly has no representative character, nor has it any constitutional power beyond that of deliberation, and the recommendation of measures for adoption by the freemen; but in practice it has frequently assumed and exercised the powers of a governing body.

It is summoned by the bailiffs, and one bailiff must be present at the meetings.

Many useful Orders have been made at these meetings, to compel regularity in the performance of official duties, and particularly with reference to the finances; but these orders are not enforced. On the other hand, individual members of this body have assumed a control over the revenues and expenditure, without the authority of an order. Numerous instances will occur in the course of the Report.

Committees have been occasionally appointed for special purposes, but these purposes have not been accomplished. A finance committee, for instance, was appointed in 1818, and made a report, which has never been acted upon. A second committee was appointed in 1830, which has made no report.

State of Parties in the Assembly.

As the Common Councilmen have a majority in this Assembly over the Portmen, they prevail on all party questions. On questions of finance, patronage and the administration of charities, they are divided among themselves. In this division the advocates of reform are a minority, and all their attempts to check the existing abuses in the corporation have totally failed.

Club Influence.

There is a political Club in the town, called the Wellington Club. It is composed principally, but not exclusively, of freemen, and all the common councilmen are members. This club has considerable power over the elections, and consequently over other municipal proceedings.

To secure its support members of the Council, after voting for a resolution in the assembly, have voted against the same resolution when it was proposed for adoption by the freemen at their great court, because in the meantime the club had deliberated, and decided the other way. After supporting, for instance, in the Assembly, the nomination of the present recorder, they turned round at the election and voted for a nominee of the club. A similar instance occurred at the election of the master of the grammar school.—(*See* Patronage.)

Mr. Bacon, who is a member of the council, and an influential banker in the town, has made several attempts to check the financial mismanagement which will hereafter appear; but he found himself so thwarted, both in the assembly and great court, by the external influence of the club, that he has declined to take any further part in municipal affairs, and has retired from them in disgust. The Wellington Club, he says, has taken the corporate concerns so much into its own hands as to supersede the functions of the council.

Political

IPSWICH.

Political clubs had long existed in the town, for the purpose of influencing the elections, and their expenses were for many years defrayed by the representatives of the borough. They met on the day before the annual election of bailiffs, and the candidates for office were then proposed for their approbation. But the Wellington Club, which has acquired so preponderating an influence, originated in the dissatisfaction created among the freemen, by a proposed coalition between the portmen and common councilmen, for the purpose of putting a stop to the violent and expensive party contests in the borough. The immediate occasion will be stated when the election proceedings are reported. To defeat this coalition of the two self-elected bodies, and to enable the freemen to maintain their own importance and influence, this club was originally organized. "It was feared," says one of its members, "that if that influence were lost, the poor freemen would be turned out of work." The nature of this fear will be better understood when the management of the corporation and charity estates is reviewed.

Origin of the Wellington Club.

The club was at first joined by two members of the Council, and they were both elected bailiffs. One of them, after two trials, was found unfit to govern the town. The other, a solicitor and banker, who gave satisfaction as bailiff, was afterwards nominated by a portman, and refused the support of the club.

The next person chosen had given a pledge that he would never again be a party to any coalition without consulting the freemen. This individual has taken an active part in the affairs of the borough, and has received without authority a large sum of corporation money for claims which no one could explain. He has been three times elected bailiff. His successor was Mr. Bacon, who was supported by the club at his election, and then opposed in all his measures.

The club was successively joined by every other member of the Council, and is now consulted on all important occasions.

Its meetings are held every month, under the presidency of a tailor. At these meetings the Chief Magistrates occasionally attend, and enter into an explanation of their official conduct. Their explanations are listened to with great attention, and if their conduct is approved, their health is drunk with applause; if disapproved, a debate ensues.

Before the annual elections, candidates for office are proposed to the club by members of the Council, and these candidates are generally elected. Its funds, which are raised by subscription, are said to be "launched out" in support of its favourites; this is the expression of one of its members. The treasurer is the junior member of the council, who was lately created an Honorary Freeman.

The subscribers to these funds determine whether the non-resident freemen shall be brought down to vote at the municipal elections; a practice which is considered objectionable, though acquiesced in by the residents, who on this point are not consulted. "I consider it objectionable," says a freeman and member of the club, "because so long as the outvoters get paid, they are indifferent as to who is to govern the town."

The same fear of a coalition, which first organized the club, is still a leading principle of its action and conduct. The present recorder was supported by both parties in the Assembly, and opposed by the club. The master of the grammar school, after an examination and comparison of testimonials by competent judges, was also supported by both parties and opposed by the club. A common councilman was nominated by one of the portmen for the office of bailiff, and rejected by the club.

Mr. Bacon was supported by the portmen in his proposed financial reforms, and he has lost the support of the club.

It appears that no measure, however beneficial, no candidates for office, however well chosen, can receive the concurrent support of the two parties in the Assembly without immediately provoking the opposition of this club.

Those members of the Council, who are said to have the greatest influence over its proceedings, refused to be sworn as witnesses under the Municipal Commission.

3. The High Steward.

The office of High Steward is nearly nominal.

He is appointed a commissioner under all the local Acts of Parliament, but he has no exclusive functions or privileges.

For more than a century, with the exception of a short interval, this office was held by the Earls of Dysart, and during that interval by Lord Nelson.

At the last election in 1821, the Duke of Wellington and Sir Robert Harland, baronet, were put in nomination. The Duke, who is a freeman of the borough, was nominated without his own consent or knowledge, and at the poll the numbers stood thus:

Sir Robert Harland - - - - - - -	421
The Duke of Wellington - - - - - -	326

Sir Robert Harland occasionally acts as a commissioner, and frequently votes at the elections.

4. Officers connected with the Jurisdiction.

The Recorder is a magistrate of the borough, and the sessions cannot be held without the presence of himself or his deputy.—(*See* Jurisdiction.)

The Recorder.

IPSWICH.

The duties originally attached to his office appear in the official oath:

"Ye shall sware that ye shall make trewe records of all pleas, processes, judgments, executions and other matters or causes that to the office of a recorder appertaineth or belongeth, as well for matters depending and concerning the King's great courts, called Portmen's Mote, as all other causes concerning the King's courts of small pleas, and all other his courts holden and kept for the King in this his town and borough of Ipswich; and that you shall at all times, to the best of your learning, give your advise and counsel to the bailiffs of the same town for the time being, how they should order and execute their processes and judgments, according to form of law, and to the most honour and profit of the same town."

Besides his judicial functions, he is a commissioner named in all local Acts of Parliament, and a joint trustee of Crane's Charity.—(*See* Lending Cash Fund.)

His salary is 20 *l.* a year, and he receives five guineas for every visit to the town.

The present recorder is Charles Frederick Williams, esquire, a barrister, who was elected after a poll in 1831, by a majority of 38.

The numbers polled were,

Williams - - - - - -	172
Bacon - - - - - - -	138

The circumstances connected with this election have already been alluded to, as an illustration of the present character of the deliberative body. Mr. Williams was opposed for no other reason than because he had been selected by both parties in the Assembly as a candidate entitled to their joint support. This was considered a coalition of parties, and the Wellington Club, with its leaders in the council, consequently opposed him.

He has been created an honorary freeman, but has never voted at the borough elections. His predecessor frequently voted.

The office was formerly held for many years by Mr. Crickett, a proctor, and the sessional duties were then performed by deputy.

The recorder is removable by the bailiffs, burgesses and commonalty, or by a majority, including the bailiffs.

Town Clerk.

The Town Clerk records the proceedings of the corporation; is clerk of the peace for the borough; clerk to the magistrates; registrar and clerk of the civil courts; steward of the admiralty court; and solicitor and attorney of the corporation.

His official oath is the same as that of the recorder, and like the recorder, he is removable by the bailiffs, burgesses and commonalty, or by a majority, including the bailiffs.

He is generally appointed one of the coroners of the borough, and steward of the manor of Ulverston and Sackville, previously mentioned. Both these appointments are now held with the office.

His salary is 13 *l.* 16 *s.* 8 *d.*, and his whole emoluments, including fees, are estimated by the present town clerk at 300 *l.* a year. They formerly were 500 *l.* a year.

This office has always been held by an attorney, and generally by a member of the council. Although the election is annual, the same individual has been returned for many years in succession. From 1791 to 1808 one individual, Mr. Batley, was re-elected without intermission. From 1810 to 1820, another individual, Mr. Jackaman, was re-elected in the same way. They are both members of the council, and they have several times been chief magistrates of the town. The present town clerk, who has continued in office since 1828, had previously been bailiff, and continues a member of the council.

Since 1820 the election has been frequently contested, and the contest has been both severe and expensive. Each party brings forward a candidate, in conjunction with the candidates for the office of bailiff, and the canvass goes on for all three at the same time.

The numbers polled are not very different from those which appeared on the poll for bailiffs:

YEAR.	Majority.	Minority.	YEAR.	Majority.	Minority.
1820 -	485	462	1826 -	242	133
1821 -	392	333	1827 -	242	216
1823 -	451	432	1830 -	312	124
1825 -	465	430	1831 -	483	311

The expense of a contest is said to fall most heavily on the town clerk. In 1820, Mr. Jackaman spent 757 *l.* upon the election, without being returned; in 1823, his election cost him 447 *l.*; and in 1825 he again spent 1,403 *l.* as an unsuccessful candidate. He has since become a bankrupt.

Mr. Batley's expenses are not known, but he is now insolvent.

At the contest which followed Mr. Jackaman's defeat in 1825, the Wellington Club brought forward a candidate, and "launched out" its funds in his support. The sum they spent does not appear.

The present town clerk states, that his election, one year, cost him between 300 *l.* and 400 *l.*

IPSWICH.

The persons chosen for this office have always been active political partizans, and one of them, Mr. Jackaman, has the credit of having introduced into this borough the custom of cooping voters at elections. They have acquired a corresponding influence in the corporation, and an influence which has much interfered with the regular performance of their official duties. A recent instance will appear under the head of Jurisdiction: it will be seen that the last sessions were delayed for some months, solely for the convenience of the town clerk. The gaol was filling fast, and the assistant magistrates remonstrated against the delay; but the chief magistrates, who are jointly elected with this officer, considered it a matter of courtesy to wait till he could conveniently attend.—(*See* Sessions.)

His predecessor, Mr. Jackaman, was allowed to retain for years money remitted for a charity fund, without rendering any account; and when he rendered an account, it was under a commission of bankruptcy.—(*See* Lending Cash Fund.) He occupied for some years a corporation and charity estate, upon which waste has been committed to a great extent.—(*See* Property.)

In 1813 he received on account of the corporation 786*l.* 13*s.*, as the proceeds of stock sold out; and in the same year he received a further sum of 232*l.*, the amount of taxed costs in a cause. These sums were not paid over to the treasurer, nor accounted for to the corporation till after his bankruptcy.

His account had been frequently asked for, but the production was not enforced, and he continued for several successive years to be annually re-elected. When his affairs were at length settled with the corporation, it was too late to tax his professional bill. Payments were then allowed without the production of vouchers, and sums he had received were omitted, although received for Charitable purposes. The excuse is, that he was not then in a condition to pay. He still continues a member of the council.

Mr. Batley has been allowed to retain and invest in the funds a legacy bequeathed to another charitable foundation, under the control of the corporation; and although he has paid over the dividends, there has been no transfer to the trustees, and he is now insolvent. —(*See* Christ's Hospital Revenues.)

The town-clerk elected in 1826, Mr. Gross, objected to and exposed some of the most striking corporate abuses, and he has not been re-elected. He appears to be better acquainted with the affairs of the corporation than most of its official functionaries.

Coroners.

The Coroners exercise an exclusive jurisdiction in the borough.

They hold inquests in rotation, for which they receive the statutable fees, besides 2*l.* 2*s.* for every attendance at the Sessions, when their inquisition leads to a trial. The ordinary number of inquests is 18 a year.

Their juries are summoned by the serjeants at mace from the two nearest parishes.

The only other functions they exercise are at the "petty court" mentioned hereafter, where the presence of one coroner is necessary for conveying an estate.

It has been stated that this office is usually held by common councilmen, and such is the case at present. The coroners are, the town clerk and another attorney, who have been annually re-elected since 1820.

Gaoler.

The duties of Gaoler are performed by a female, the widow of the late gaoler, who was eight years in the office.

Her salary is 80*l.* a year, besides an allowance of coals; and this is paid, not by the corporation, but out of the Marshalsea or Borough rate.

She appoints turnkeys and pays them out of her salary. From the maintenance of prisoners she derives no profit.

Gaol Surgeon.

The state of the gaol will be reported under a distinct head.—(*See* Gaol Surgeon; Gaol.)

A surgeon is appointed for the gaol and bridewell, with a salary of 50*l.* a year, which, like the salaries of the gaoler and chaplain, is a charge on the Marshalsea rate. This sum is paid as well for the supply of medicines as for medical attendance.

The surgeon last appointed is the son of a portman and magistrate.

The state of the prisoners will be reported under the head of Gaol.

Bridewell Keeper and Hospital Guide.

The Bridewell Keeper has a salary of 20*l.* a year, besides coals, and apartments rent-free.

A further salary of 12*l.* a year is allowed for keeping the Mendicity House; and this, like the others, is paid out of the Borough or Marshalsea rate.

The same individual is also the Guide of Christ's Hospital, an institution under the control of the corporation.—(*See* Patronage.)

A part of the hospital is used as the bridewell, and the guide lives on the spot. He maintains the boys as well as the prisoners, and receives a weekly pension for each boy.

This appointment has been frequently contested since 1820. The numbers polled were as follows:

YEAR.	Majority.	Minority.	YEAR.	Majority.	Minority.
1820 -	247	231	1827 -	208	132
1821 -	291	198	1828 -	289	215
1822 -	229	225	1829 -	177	96
1826 -	338	240	1832 -	130	104

IPSWICH.

5. Officers having the custody of the Records.

The Clavigers have the custody of the Charters and other Records of the town; of its Common Seal; and of a fund, called the Lending Cash Fund.

The bailiffs and town clerk have access to the records, but no other member of the corporation is entitled to such access without an order from the bailiffs.

The seal can only be legally affixed in the presence of the bailiffs, after an order from the great court of freemen.

A nominal fee of 2*s.* 6*d.* is due to the clavigers whenever it is used.

The persons selected for these duties are all members of the council.

Two of the leading charters have been recently lost or mislaid, and one of the two disappeared only a few days before the commencement of the Municipal Inquiry. The charters, however, have been kept more secure than the Lending Cash Fund. The Charity Commissioners observe, that "the affairs of this charity seem involved in some confusion."

The nature, cause and extent of that confusion will fully appear under a subsequent head. In the meantime, I report a total neglect of duty on the part of those to whose custody the fund was committed, and the unauthorized detention or appropriation of a part of the fund by the former town clerk, Mr. Jackaman. This neglect is described by one of the present clavigers, as "a degree of carelessness about the keys." The latter municipal functionary is comptroller of customs in the port.

6. Officers connected with the Town Revenue. Town Treasurer.

The functions of the Town Treasurer are defined in his oath: "You shall sware that you shall well and deligently collect and gather all manner of rents, customs and sums of money wherewith you are or shall be charged, as in respect to your office of the treasurer of this town of Ipswich. You shall to the best of your power and cunning, see that the houses and buildings within your charge shall from time to time be orderly repaired and amended. You shall not spend, waste or consume any of the treasury of this town by any manner of indirect means; you shall not willingly permit or suffer this town to lose any manner of right; you shall, at the usual day, make a true account of all such receipts and payments as have been, or shall be received or paid by you as in respect of your said office; you shall in all points well and duly behave yourself in the said office of treasurer of this said town, so long as you shall continue in the said office."

How far he diligently collects and gathers the rents, and other sums of money committed to his charge, and how far his power and cunning is exercised in seeing that the houses and buildings of the corporation are orderly repaired and amended, will be seen under the head of Property.

The "usual day for a true account" it would not be easy to discover. The Finance Committee in 1818 ordered, "That a statement of the annual income and expenditure of the corporation be prepared and laid before an Assembly, to be holden as soon after the 25th day of March in every year as may be deemed convenient, so that the same do not exceed one month beyond that time."

The treasurer of last year has rendered no account.

The treasurer of the preceding year has rendered no account.

Both are members of the Assembly by which those orders were made.

The town clerk of 1826 states, that when he came into office several accounts were still unaudited: those of many previous years are missing.

When rendered, it is not pretended that they are "true accounts" of all the receipts and payments. Large sums of money are both received and paid away by this officer without any entry in his book. A sum of 10,000 *l.* was received in 1832 without any entry; the treasurer observed, that "it might be added."—(*See* Debts.)

An order of the Assembly was made in 1830, "That no extraordinary payments be made, nor orders given for buildings, alterations or repairs, above the value of 10 *l.*, without an order of assembly for that purpose."

It will appear hereafter that since this regulation was made, a sum of 1,500 *l.* has been paid away without any order.—(*See* Debts.)

The present treasurer could neither state what the assets nor what the liabilities of the corporation were. He did not know what rents were in arrear, nor what interest was payable on the corporation debts; but referred to the bailiffs, under whose order his payments must be made.

The Bailiffs were his two predecessors in office. Neither the one nor the other could give any satisfactory information as to the state of the corporate finances.

The salary is 20 *l.* a year, with the privilege of using the money in hand. No security is given.—(*See* Accountant.)

Treasurer of the Marshalsea Rate.

The Marshalsea Rate is a tax imposed on the town by the municipal magistrates. The Treasurer is appointed by them, and receives a salary of 50 *l.* a year.

No security is required, and no loss has been incurred.

The Portmen form a majority of the magistracy, by whom this officer is appointed, and for many years the office was held by one of themselves, an assistant magistrate. It is now held by a banker in the town, unconnected with the corporation.

Chamberlains.

The original functions of the Chamberlains are specified in the oath of office, which is this: "Ye shall sware that ye will truly and deligently gather and levy, or cause to be gathered and levied, to the use and behoof of the said town, all manner of rent, fines, petty customs, tolls, amerciaments of court and of lete, and all other increases, profits and commodities of the said town that to their offices of chambeleyneship appertaineth and belongeth; and that you and either of you endeavour yourselves to the best of your power, under the

the correction of your bailiffs for the time being, to see and provide for the most profit and advantage of the said town, without concealing or withholding any part or parcel of the said town's right or duty to your own use; and also that ye shall yield and render to the said bailiffs, or to such persons as shall be thereto assigned, a just and true account of all such revenues and profits as to your office of chamberlainship appertaineth, to levy or to gather at all times when ye thereto shall be required."

They no longer gather and levy to the use of the town, either the rents or the tolls, or any other part of the revenue, except the fines imposed at sessions. Their official functions are now performed by a collector, who is accountable to the treasurer. They were transferred to the collector, in consequence of a continued neglect of duty on the part of the chamberlains, accompanied by the loss of rents, and other monies of the town.

The persons selected for this office are usually the candidates for a place in the Council, to which their office is considered an introduction. No salary is attached to it.

Accountant.

The office of Accountant has been recently established. In 1830 the Assembly agreed and ordered, "that an accountant be also recommended to be appointed, to keep a regular account of all the receipts and disbursements of the corporation and the charities, so that the state of the same respectively may be ascertained at one view at any other time; and that Mr. James Smyth be recommended to be appointed to that office, at the annual salary of 10*l.*"

The person appointed is a clerk in the bank of Messrs. Bacon & Co.

Though he was appointed in 1830, the only two accounts he has drawn out are those of 1827 and 1828. He throws the blame on the Treasurers, complaining that their accounts are kept back, and not ready for arrangement.

In classifying the receipts and disbursements of these two years, he has confined himself to those of the corporation, omitting those of the charities. He excuses himself by saying, that he did not consider it a part of his duty to interfere with the charities.

For this partial arrangement of the accounts of these two years he has received four years' salary.

Water Bailiff.

The functions of the Water Serjeant, or Water Bailiff, are also stated in his official oath. He swears, "That he will truly and diligently levy and gather, or cause to be levied and gathered, to the use and behoof of the said town, all tolls, petty customs and other profits that to the said office of water bailiff appertaineth and belongeth: that he will not conceal nor withhold to his own use any part or parcel of the town's right or duty: that he will do no injury or wrong to any persons, nor levy and take of them, for such wares as they shall bring in or carry out of this town, franchises and liberties of the same, more than is limited and ordained in the book of constitutions of the same town."

The tolls are collected according to a fixed scale.

He further swears, that he will "see that indifferent weight shall be administered between party and party, at the King's beame within this aforesaid town, from time to time, as often as any goods or merchandizes shall happen to come to the aforesaid beame to be weighed, during all the time that he shall occupy the same room of water bailiff, and until that he be lawfully discharged of the same. And on that he shall make, yield and render to the bailiffs and chamberlains of the said town, for the time being, or to such persons as shall be thereto assigned, a just and a true account of all such revenues and profits as is due to the said town, which to the office of water bailiff appertaineth or belongeth, without fraud or deception."

He renders no account to the bailiffs and chamberlain, nor to any other functionary, but is allowed to retain the revenues and profits due to the town, as the perquisites of his office, which are calculated to be worth 70*l.* to 80*l.* a year. His nominal salary is 3*l.* 6*s.* 8*d.*

This office has been an object of frequent contest. The numbers polled since 1820 have been as follows:

YEAR.	Majority.	Minority.	YEAR.	Majority.	Minority.
1820 - -	246	239	1827 - -	207	137
1821 - -	276	215	1828 - -	299	206
1822 - -	249	211	1830 - -	310	125
1826 - -	329	256	1831 - -	484	298

The present water bailiff is also the lessee of the corporation oyster grounds.

Collector of Town Dues.

The Collector of Town Dues receives those dues only which are levied in the port, under the authority of the corporation.

He is accountable to the treasurer, and pays over his receipts at irregular intervals. A poundage of five per cent. is allowed on the sum collected, and his poundage last year rather exceeded 30*l.*

The present collector is a freeman, who is described by one of the assistant magistrates as very unfit for his office. He has been an active and violent partizan at the borough elections.

At the time of his appointment it was understood that he was to find security, but he has been released from this obligation on making a deposit of 8*l.* According to his own statement, he has never had more than 30*l.* in hand. He refused however to produce his book, or to give any further account of his receipts.

IPSWICH.

His predecessor proved a defaulter in 1831. The amount of the deficiency could not be ascertained.

Deputy Clerk of Market.

The Deputy Clerk of the Market allots the ground on which the fairs are held; for which he receives, and appropriates to his own use, the groundage and stallage. His emoluments are estimated at 25*l.* a year. The duties connected with the market are thrown upon the beadles, and other town servants who examine the meat and weigh the butter.

7. Officers for Religious Instruction.
Lecturer of the Corporation.

The Lecturer of the corporation is chosen by the free burgesses at their great court, and he has a salary of 70*l.* a year, which is paid out of their general fund.

The appointment is during the pleasure of the freemen, and some years ago they removed their lecturer for misconduct.

The present lecturer, who was appointed in 1801, is not a graduate of either university. His only duty is to lecture on Sunday mornings at St. Mary's church.

Chaplain of the Gaol.

A Chaplain is appointed for the gaol, who performs the service on Sunday, and pays occasional visits on other days.

His salary is 30*l.* a year, which is paid out of the Marshalsea rate.

8. Official Servants.
Serjeants at Mace.

The Serjeants at Mace are the Official Servants of the bailiffs, coroners, justices and corporation; and with the rest of the town servants, they are inspectors of weights and measures.

Their salary is 3*l.* 6*s.* 8*d.* each, besides fees and suits of livery. Their whole emoluments are estimated by the town clerk at 15*l.* a year.

These officers, though annual, are usually continued as long as their party prevails at the elections. Their duty of inspection is very negligently performed.

Crier.

The Crier, another town servant, swears the Crown witnesses at the sessions; cries all proclamations; and performs the ordinary duties of such an office.

His salary is 5*l.* 13*s.* 4*d.*, and the incidental emoluments are estimated at 60*l.* to 80*l.* a year.

This place has also been an object of contest since 1820, and few years have passed over without a poll.

YEAR.	Majority.	Minority.	YEAR.	Majority.	Minority.
1820 - -	254	239	1827 - -	204	136
1821 - -	288	208	1828 - -	300	203
1822 - -	236	223	1830 - -	315	114
1826 - -	332	254	1831 - -	485	300

Beadles.

The duty of the Beadles is, to attend and keep order in the great court of the freemen; to attend the borough sessions, and execute orders of the magistrates; to seize bad meat, and see it burnt in the market-place.

Their salaries are 5*l.* 3*s.* 4*d.* each, and their whole emoluments about 14*l.* a year.

They are political partizans of the Bailiffs who appoint them, and like the serjeants at mace, are usually re-appointed as long as their party continues in power.

Crane Porters.

The Crane Porters have a monopoly of the common quay, which is the property of the corporation. Upon this quay all foreign goods must be landed, and these porters must be employed in the landing, to the great dissatisfaction of some of their employers.

Their nominal salary is 2*l.* a year each, besides which they earn about 15*s.* a week each.

9. Officers with Nominal Functions.

The Flesh Wardens receive a salary of 1*l.* a year each. Their duty was, to "view and search within the town, whether the butchers using and exercising the trade of butchery within this town do sell wholesome flesh for man's sustenance or not within this town, and present such as they should find faulty on the premises."

The Ale Conner receives a salary of 2*l.* a year.

The Leather Searcher and Sealer receives a salary of 1*l.* a year.

The Freemen:
1. Titles to the Freedom.

The Freedom of the Borough is acquired by the following titles:

1. Birth,
2. Apprenticeship,
3. Purchase,
4. Gift.

Admission by Birth and Apprenticeship.

All the sons of a freeman, if born after the admission of their father, are entitled to the franchise. The place of their birth is immaterial, and residence unnecessary.

The apprentices of freemen are entitled to admission after seven years' service. The service may be out of the borough, and this is the case with the majority of apprentices admitted. A bye-law requires that their indentures should be enrolled, but the law is not enforced.

The titles of those who claim by birth or apprenticeship, are scrutinized by the political opponents of the party to which they belong. The usual time of Admission is just before an election, and the fees are paid by the candidates.

The

IPSWICH.

Fees on Admission by Birth and Apprenticeship.

The fee in both cases is 2 *l.* 2 *s.*, including the stamp. It is paid to the town clerk, and a portion of it is nominally appropriated as follows:

	s.	*d.*
To Bailiffs - - -	2	–
Town servants - -	3	6
Christ's Hospital -	3	6
For Water bucket - -	2	–

Formerly every freeman was provided with a water bucket, which was hung up in the town hall. The custom has now ceased, and neither this fee nor those due to the bailiffs and Christ's Hospital are any longer paid.

Admissions by Purchase.

The title by Purchase appears to be now obsolete. Formerly all persons carrying on Trade in the town were required to purchase their freedom by the payment of a fine, which varied in its amount, according to the station and circumstances of the trader. A "committee of foreigners" made an annual report on the subject, and the fines were annually levied.

The last committee for this purpose was appointed in 1737, and only four years before an order appears in the corporation books, that all "foreigners" should be sued.

As late as 1776 a petition was presented to the great court from an inhabitant of the town, praying to be admitted a free burgess on paying a reasonable fine.

The admission was put to the vote, and a poll demanded, when the numbers were,

For - -	61
Against - -	6
Majority -	55

The petitioner was accordingly admitted, and paid a fine of five guineas.

Admissions by Gift.

Honorary Freemen are elected by the whole body, assembled at their great court. The freedom is generally presented to the high steward, the recorder, and the Members of Parliament for the borough.

No instance of a large creation has occurred since 1755, when 127 were admitted on the same day. Of this number about 13 were resident in the borough; the others were country gentlemen, and all of the same political party. In 1771 they were ousted. They paid 5 *l.* 5 *s.* each for their admission, and the same on their discharge.

In 1822, 18 persons were admitted in couples, each party in turn nominating one. The object of their admission was, to confer a qualification for the corporate offices: the persons selected on both sides were active political partizans. This illegal mode of election was suggested by the mutual suspicions of the two parties in the corporation.

A quo warranto was afterwards obtained against some, and the rest then resigned. In 1824 they were all disfranchised, and it was upon this occasion that the bailiffs were ousted, and the town left without a chief magistrate.

The freedom has been since presented to the new recorder, and to the treasurer of the Wellington Club.

Oath on Admission.

The following is the ancient Burgess Oath on taking up the freedom:

"Master bailiffs, portmen, coroners, and all other that be present, I desire you to hear, how that I shall from this day forward true burgess be; and the council and privities of this town and borough of Ipswich, and of the great courts of the same, shall truly keep, and not discover nor disclose: I shall colour no man's goods, in no manner of wise, under my goods, nor in my name, wherethrough the town should lose any manner of right, that is to say, custom, toll, or any other profit which the town ought to have of right; and also I shall be aidant and obedient to my bailiffs and portmen that now be, or in time coming shall be, and the precepts of the said bailiffs at all times I shall keep and obey to my power; and *I shall be lottant and scottant, as a burgess ought to be, to all manner of charge that belongeth to the said town, liberties and franchises of the same, as often as any such charge shall happen;* and I shall maintain and sustain, to the best of my power, the aforesaid town, franchises and liberties of the same, against all manner of men, except our Sovereign Lord the King and his royal power."

A member of the Council referred to this oath as a justification for his refusal to give evidence under the Municipal Commission. This is the individual described in the list of members as a builder who had received a large sum of money from the corporation funds, and no one could be found to explain the precise nature and extent of his claims. Referring to his burgess oath, in which he had sworn not to disclose the secrets of the corporation, and deterred, as he said, by the nature of the questions asked, he declined to be sworn as a witness.

2. Collective Functions and Privileges of the Freemen.

The Collective Functions and Privileges of the Freemen are exercised at an assembly called the Great Court.

This court assembles on the charter days for the election of municipal officers, and may at all times be convened by the bailiffs. In practice, it is considered necessary that some of the council should be present.

The bailiffs preside, and if a division takes place, they may either grant or refuse a poll. Every freeman is entitled to vote, whether residentor not, and every question is determined by a simple majority of those who are present.

IPSWICH.

All valid corporate acts and regulations must receive the sanction of this court, and its authority is necessary to affix the corporate seal.

The prescriptive Usages and Ordinances, by which the town was governed from a very early period of its history, are preserved in an ancient volume called "Doomsday Book." The charter of Hen. 8 empowers the bailiffs and burgesses to change these usages and ordinances for the purpose of "amendment or reformation," and to provide "a proper remedy" for any new case that may arise. The clause in the charter is this:

"That if any usages or ordinances in the town and liberties aforesaid, hitherto obtained or used, shall in any part be difficult or defective, or want any amendment or reformation, or if any case shall happen in the said town and liberties, to arise anew, where no remedy was before provided, the bailiffs and burgesses for the time being, or at least the greater and sounder number of them, according to their sound discretions, shall provide, ordain and establish a proper remedy, consonant to good faith and reason, for the common utility and prosperity of the town aforesaid, and of the bailiffs, burgesses and commonalty, and their successors, and also of our faithful people resorting to the said town, as often as and whensoever it shall seem to them convenient. Provided nevertheless, that such reformations and ordinances be useful to us and our people, and agreeable to good faith and reason as aforesaid."

"And that the said bailiffs, burgesses and commonalty, and their successors, shall have all and singular the liberties and privileges aforesaid, and also the said ordinances and traditions, established or to be established, made or to be made, recorded in any of our courts whatsoever and allowed to them."

It appears that, in the earlier periods of the constitution, a Committee of Burgesses was appointed to revise these Ordinances, when revision became necessary; but it is long since such a committee was appointed.

Joined with the powers of local Government were those of local Taxation, and the Burgesses assessed themselves for corporate purposes at their corporate assemblies. These assessments ceased about a century ago, and the modern practice is to distribute a portion of the corporate funds in half-crowns among the freemen for their attendance at the Great Courts. The practice was introduced by the Bailiffs when the election contests began.

The character and inefficiency of the control exercised by this court has appeared from a review of the present Official Body; it will further appear throughout the financial management, and the administration of charities.

3. Personal Immunities and Privileges of the Freemen.

The Personal Exemptions and Privileges incident to the franchise are these:

1. Exemption from the town dues.—(*See* Property; Town Dues.)

2. Exemption from customary tolls throughout the kingdom.

3. Exemption from service as jurors out of the borough, a privilege shared by the other inhabitants.

4. An exclusive right to land their goods free at the common quay.

5. An exclusive right to fish in that part of the river which lies within the corporate limits. This right is claimed without being exercised.

6. A monopoly of trade in the town, which is no longer enforced. This monopoly was confirmed by the charter of Hen. 8, and the grounds upon which it was granted may be collected from the words of the Charter:

"That no foreigner or alien, nor any other person who is not of the liberty aforesaid, and a freeman, and admitted a burgess of the town aforesaid, and *a contributor with the burgesses and freemen of the same liberty for the time being, to all things that are to be paid for that town, and the common utility thereof*, shall buy any wares or merchandize, or any other goods or chattels within the town, liberties, places and limits aforesaid, of any other foreigner or alien, to sell again to any person in gross or by retail; nor shall otherwise negotiate, buy or sell, unless such merchandizes, goods and chattels so negotiated, bought or sold, be for the proper use of the buyer or seller himself, and for the use of his own household or family, to be applied and exposed under the penalty of forfeiting all such merchandizes, and other goods and chattels within the town, liberties, places and limits aforesaid, against the form aforesaid negotiated, bought or sold, in whose hands soever such merchandizes or wares, goods or chattels shall be found."

4. Present Extension and Distribution of the Franchise.

How far the Burgesses and Freemen now contribute to "all things that are to be paid for that town, and the common utility thereof," will appear from the following statistical facts, which show the relation in which the Corporate Body stands to the Inhabitants at large, with respect to Numbers, Condition in Life, Property and Taxation.

First as to *Numbers*.—In a Population of 20,600 persons, containing 9,169 males, there are 349 registered freemen.

The number of non-residents, forming no part of the population, is about 730.

Occupations.—A considerable majority of the resident freemen are journeymen-labourers and mechanics. The whole number engaged in trade, commerce and shipping, is calculated to be 110; the number engaged in professions, 14; and the number having no apparent connexion with professions or trades, 12.

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The following Table shows approximately the proportion which they respectively bear of the aggregate number, in the several classes to which they belong:

Trades, Professions, &c.	Number of Freemen.	Number of Persons not Free.
Master tradesmen, of various classes, about	80	700
Merchants and manufacturers	7	ab. 50
Masters of vessels belonging to the port	23	77
Medical practitioners	3	22
Attornies	9	15
Clergy of the Church of England	1	25
Clergy Dissenters	1	8
Persons having no apparent connexion with trade or professions	12	80
	136	977

Besides these 136 freemen, 7 are employed in the service of the customs, and 15 are clerks or agents. The rest are journeymen, labourers and mechanics.

Property and Taxation.—The two principal parishes in the borough are Saint Margaret's and Saint Clement's.

In the former, which contains a population of 4,000 persons, and property assessed at 4,332*l.*, there are 92 inhabitants rated at 10*l.* and upwards; and the aggregate amount of their rateable property, according to the parochial assessments, is 2,240*l.* Of these 92 proprietors, only three are freemen of the borough.

The number of freemen rated in this parish is 33, and nine out of the 33 are excused the payment of their rates on the ground of poverty. Their aggregate assessments amount to 174*l.*, which is less than 1-24th of the whole.

Of the 33 freemen who are rated to the poor, only 16 are taxed for municipal purposes, and a part of the tax is paid by their landlords. Their aggregate assessments for these purposes amount to 85*l.* 10*s.*, forming less than 1-40th of the whole.

The assessed taxes raised in the parish amount to 874*l.* 19*s.* 4*d.*; and of this sum the freemen pay 9*l.* 0*s.* 6*d.*

There are 170 parishioners registered as voters, in right of their property and occupancy, who are excluded from the corporate body.

The parish next in importance is St. Clement's. Here the parochial valuation of property is 3,721*l.* 3*s.*, and the property of the freemen is assessed at 229*l.* 5*s.*, or less than 1-16th of the whole.

The rate-books contain the names of 75 burgesses. Of these 75, more than two-thirds are rated for property valued at 2*l.* and under, and 25 are excused the payment of their rates, on the ground of poverty.

Their assessments for municipal purposes amount to 157*l.* 10*s.*, or less than 1-18th of the whole; and their contributions to the assessed taxes are nearly in the same proportion.

These results, obtained from an examination of the statistics of the two principal parishes, are generalized in the following tables.

The first Table shows the number of Freemen rated to the poor throughout the borough, the number excused the payment of rates, the number not rated, and the number of paupers:

Parishes.	Number Rated.		Total.	Number not Rated.	Paupers.
	Paying Rates.	Excused Payment.			
St. Margaret's	24	9	33	132	46
St. Clement's	50	25	75		
St. Matthew's	15	2	17		
St. Peter's	16	3	19		
St. Mary Stoke	7	-	7		
St. Nicholas	14	1	15		
St. Lawrence	9	1	10		
St. Mary Key	14	2	16		
St. Helen's	11	-	11		
St. Stephen's	6	-	6		
St. Mary-at-the-Tower	14	-	14		
St. Mary Elms	7	-	7		
Total	187	43	230		

IPSWICH.

There are about 2,000 rated inhabitants in the borough.

The next Table shows the amount of Property rated in each parish, according to the parochial valuation, distinguishing the property of the freemen:

Parishes.	Gross Amount of Assessments on Freemen.	Total Assessments in the Borough.
	£. s. d.	£. s. d.
St. Margaret's	174 – –	4,332 – –
St. Clement's	320 – –	3,721 3 –
St. Matthew's	87 15 –	2,700 – –
St. Peter's	118 17 6	2,000 – –
St. Mary Stoke	52 10 –	1,700 9 –
St. Nicholas	116 – –	1,200 – –
St. Lawrence	140 – –	1,100 – –
St. Mary Key	95 10 –	1,000 – –
St. Helen's	125 10 –	770 – –
St. Stephen's	75 – –	745 – –
St. Mary-at-the-Tower	225 – –	630 – –
St. Mary Elms	13 – –	540 – –
Whitton	15 10 –	—
Westerfield	58 – –	—
£.	1,616 12 6	20,438 12 –

A Local Tax is imposed, under the authority of an Act of Parliament, on lands and houses of which the rent exceeds 4*l.* a year. The number of persons taxed under the Act is 1,685; and of these only 111 are freemen; consequently, more than six-sevenths of the whole corporate body, and more than two-thirds of the resident members, are exempt from the tax; while more than fourteen-fifteenths of the tax-payers are excluded from the corporation.

The Property assessed under the Act is shown in a third Table, distinguishing the property of freemen:

Parishes.	Property of Freemen.		Total.	
	Houses.	Lands.	Houses.	Lands.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.
St. Margaret's	85 10 –	– – –	2,449 5 –	1,020 15 –
St. Clement's	156 10 –	1 – –	2,362 5 –	584 5 –
St. Matthew's	81 10 –	– – –	1,634 5 –	422 5 –
St. Peter's	78 10 –	33 5 –	1,545 – –	118 5 –
St. Mary Stoke	30 – –	17 15 –	534 10 –	1,110 19 –
St. Nicholas	83 10 –	– – –	1,110 10 –	—
St. Lawrence	130 – –	– – –	1,203 17 6	—
St. Mary Key	53 – –	– – –	1,240 10 –	—
St. Helen's	95 10 –	– – –	355 – –	176 10 –
St. Stephen's	41 – –	– – –	699 10 –	5 – –
St. Mary-at-the-Tower	190 – –	– – –	1,585 15 –	—
St. Mary Elms	– – –	– – –	360 2 –	—
£.	1,025 – –	52 – –	15,080 9 6	3,437 19 –

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A fourth Table shows the total amount of Land and Assessed Taxes raised in the borough, distinguishing the amount paid by the members of the corporation:

Parishes,	Assessed Taxes.						Land Tax.					
	Amount paid by Freemen.			Total.			Amount paid by Freemen.			Total.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
St. Margaret's	9	—	6	874	19	4	13	5	—	249	2	—
St. Clement's	16	19	9	310	15	1	42	14	—	145	17	—
St. Matthew's	24	16	3	787	11	6	8	5	—	108	6	—
St. Peter's	9	8	4	222	8	6	11	4	—	136	16	—
St. Mary Stoke	1	6	6	376	3	6	2	2	—	97	12	—
St. Nicholas	5	7	3	216	16	3	12	16	—	53	2	—
St. Lawrence	18	13	9	401	15	9	18	2	—	79	2	—
St. Mary Key	7	14	—	416	3	6	4	5	—	74	18	6
St. Helen's	34	5	—	163	16	5	11	—	—	42	6	—
St. Stephen's	4	1	6	251	16	3	5	14	—	45	15	—
St. Mary-at-the-Tower	99	4	—	742	8	10	33	3	—	107	6	—
St. Mary Elms	1	11	—	113	11	10	5	6	—	27	10	—
Whitton	8	12	—	—	—	—	—	8	—	—		
Westerfield	—			—			—			—		
£.	240	19	10	4,838	6	9	168	4	—	1,167	12	6

Comparison of the Municipal and Parliamentary Constituencies.

The freemen now form rather more than one-fourth of the Parliamentary Constituency of the borough. The number of voters registered in 1832 and 1833 was as follows:

	1832.	1833.
Freemen	344	349
Householders	875	846
Total	1,219	1,195

The number of voters registered in right of property is considerably below the number of qualified persons.

Comparing the old and new constituencies, it appears that 934 resident and non-resident freemen voted at a contested election in 1826, and that only 349 are now registered under the Reform Act. Of those who are registered, only 138 occupy houses of the value of 10 *l.* and upwards; of these 138, only 28 are rated at 10 *l.* and upwards, and of these 28 one-half are members of the council. At the last registration 46 freemen were struck off as paupers.

5. Character of the Freemen as a Constituency.

Having illustrated, by a variety of statistical facts, the present condition of the Freemen, to whom the Municipal Elections and the Local Government of the borough are entrusted, I proceed to report the means which have been resorted to by both parties in the borough to gain an ascendancy at the elections, and with that ascendancy the offices and patronage of the corporation.

For a period of 50 years, with the exception of one short interval in 1806, the Council had prevailed at the borough elections, and during this period the chief magistrates and other municipal functionaries were exclusively chosen from one political party. To a long period of political exclusion has succeeded a series of severe contests, commencing in 1820.

An active canvass, bribery in a variety of forms, and "cooping," or detention of voters where bribery failed, have been practised on both sides, as well in the election of their Chief Magistrates as in that of Members of Parliament; and every power entrusted to the corporation, its property, its patronage, and its charities, have been used for election purposes.

The following account of the contests for municipal offices in 1820, and the following years, is given by a merchant residing in the town, who was actively engaged in the scenes he describes.

The immediate occasion of the contest in 1820, he says, was the partiality of the Bailiffs, as returning officers, at the previous general election, and the misapplication of the corporate funds. At the previous general election the ascendant party had been defeated by its opponents, who were encouraged by this success to make a struggle for the municipal offices of the town. Preparations were made for the struggle by subscriptions to a considerable amount. The Members for the borough subscribed, the Portmen subscribed, and the Common Councilmen subscribed. Two of the portmen were candidates for the office of bailiff in opposition to the council, and were supported by the reforming party. To secure one of the objects proposed, pledges were exacted that, if they were elected, the corporation accounts should be annually published. Both parties, having a large fund at their command, began by extensive treating and bribery. The price given for a vote varied from 30 *s.* to 18 *l.*, and the freemen were promised that the surplus revenue of the corporation should be distributed among them at the end of the year. Promises were made of loans

IPSWICH. Municipal Elections.

from the Lending Cash Fund, and of pensions from Charitable Institutions, which are under the control of the corporation. Employment was found for voters on the corporation estates, and bakers and tailors were set to work on the repairs of a mill, at extravagant wages. Cooping went hand-in-hand with the bribery. This practice is said to have been imported from Norwich by one of the present council, then the town clerk, who had been engaged in the county elections of Norfolk. Voters were decoyed into public-houses, there intoxicated, and then carried out of the town in post-chaises, under the custody of keepers appointed for the purpose. A large party was carried to Waltham Ferry, and detained or "cooped" till the day of election; other parties were carried in other directions. One was confined in the house of a common councilman; another in the house where an election committee was sitting. The chief magistrates of the town were told that freemen were decoyed, intoxicated and confined, but they declined to interfere.

The party supporting the Portmen succeeded in this contest; but as bailiffs the portmen disappointed the expectations of their friends, and the accounts were not published.

In the following year the contest was renewed, but the exhaustion of funds prevented the same expenditure. There was treating and bribery, but to a less extent. The same promises were made, and the same hopes held out, that a distribution of the surplus revenue would take place. Two portmen were again elected, and again they disappointed their supporters, and no corporation accounts were published. It was said that the treasurer's books could not be found, and because former accounts were missing, those of the current year were kept back.

The successful party became dissatisfied with their leaders in the corporation, and proposed a creation of Honorary Freemen. This proposal was reluctantly acceded to by the Great Court, in which the power of election is vested, and it was upon this occasion that an arrangement, already noticed, was made between the two parties, that each should nominate one person, and that the admissions should proceed in couples. When this arrangement was carried into effect, and the 18 new freemen were admitted, the election of bailiffs was allowed to take place in favour of the portmen without any contest.

Fresh dissatisfaction arose from these admissions, and complaints were made of partiality. Some of the most active leaders on the side of the portmen had been passed over. Their party became divided, and their opponents, taking advantage of the division, successfully contested the election of 1823, and brought in as bailiffs one of the newly-elected honorary freemen with a member of the common council.

From this time till 1831 the gentleman, whose statement I am reporting, withdrew from an active part in these municipal contests, "deterred," he says, "by the demoralization he witnessed, and as an inhabitant of the town, looking on them with unspeakable disgust."

But although he was not personally engaged in the intermediate contests, he adds, that to his own knowledge a large sum was spent by his party at the election of Bailiffs in 1825, and that in many cases 20 *l.* were given for a vote, and in one case as much as 30 *l.*

In consequence of the extent to which bribery was proceeding at this election, a compromise was proposed by the leaders of the two parties. The portmen, common councilmen and others, met at the house of the present town clerk, and the general feeling at the meeting was, that if such things were allowed to go on, the borough must soon be "Grampounded." This was the expression used on the occasion. An agreement was then entered into, that for the purpose of preventing a recurrence of the scenes they had witnessed since 1820, the two parties should alternately nominate the chief magistrates and the town clerk. This purpose was however defeated by the Wellington Club. A member of the Council who had not attended the meeting joined the club, and after a severe contest he was himself elected bailiff.

At the municipal elections in 1831, the same merchant was once more engaged in canvassing. The voters asked him for money, and a common observation among them was, that the corporation pocketed the corporate funds, and it was only at the election that the freemen could get their own share. Several of those whom he canvassed, told him that money was given on the other side, and that 33 *l.* had been offered for a vote. Finding that nothing could be done without extensive bribery, his party abandoned the contest.

This statement of an eye-witness and active partizan is corroborated, in all material points, by the testimony of many others, and in some cases with more particularity.

At the first contest in 1820, it appears that freemen were brought to vote, not only from distant parts of the country, but even from France and Holland. The resident voters were so nearly balanced, that the choice of the local functionaries was in fact determined by the non-residents, who formed a majority of the electors. In the early part of the morning of election a vote was bought for 10 *s.*; before the end of the day the price was 20 *l.* Portmen sat upon one committee, and Common Councilmen upon the other; but the most active canvassers were not members of the corporation. The amount paid away in the town alone by the treasurer of one of the committees was 2,911 *l.* 3 *s.*; and the expenses incurred in London were estimated at 3,000 *l.*; so that the Ipswich and London expenses on one side were about 6,000 *l.*

Cooping was carried on to a considerable extent, and the practice was this: the voters were in all cases confined till the day of election; then, if there was a fair chance of their votes, they were brought back to the poll; otherwise, not till the election was over.

At the contest of 1823, which was determined by a majority of 15 only, a shoemaker in the town was employed to guard a party of these cooped voters. He states that he took them 18 miles from Ipswich; but even at that distance a rescue was attempted by the opposite party. One of them was then carried three miles further, but he was still followed

by

by an active partizan, now a member of the council, who was endeavouring to decoy this voter away. He told him that his wife was ill; that his child was dead; but the stratagem did not succeed, and the voters were brought back to the poll on the day of election, when they received 3*l.* each, besides refreshment tickets. They had been cooped for seven days, and during that time the allowance had been 10*s.* a day for each. The same shoemaker was again requested to take charge of a party in 1825, but he declined the service.

He states that he has known 10*l.* given for the vote of a non-resident, in addition to his expenses. A tailor in London he instanced as one who had received large sums from both sides.

In 1825 resolutions were passed by a local committee, that the cost of the bailiwick election should be defrayed by the Members for the borough. It was expected that a general election would soon follow, and the strength of parties was to be tried in a contest for the returning officer. One of the Members came down to this election, and subscribed more than half the sum expended; but seeing the extent to which bribery was going on, he withdrew in the middle of the day, and desired his committee to put a stop to any further expense. The committee had themselves subscribed 1,200*l.*, and their opponents were spending lavishly.

In consequence of the resolutions they had passed, their other representative at once came to the "determination not again to offer himself for the borough of Ipswich," and this determination he immediately communicated to the "Deliberative Committee." He had often before complained of the annual expenses incident to the representation, and he took this opportunity of declaring his intention to retire.

The treasurer of this committee states that, "seeing no respectable man could go on with such things," he never afterwards interfered with these elections. The sums he paid away on this occasion for the Ipswich and country voters amounted to 2,933*l.*; and the payments in London amounted to 700*l.* more. The greater part was expended in bringing up the out-voters; but the tavern bills in the town and its vicinity were nearly 700*l.* These were the expenses of one side only.

In 1826 the candidates supported by the Wellington Club were elected bailiffs.

In 1827 the party of the portmen again prevailed, but in the two following years they gave way without a contest. In 1830 it was renewed without success; and again, in 1831, when gross bribery was once more resorted to. The freemen are described as going from one committee to another, "watching the turn of the market," and as soon as one party refused to pay them more than their expenses, the election was decided.

In 1832 there was a poll, but not a party struggle. The unsuccessful candidate, who polled 45 votes, appeared in the town-hall, during the Municipal Inquiry, in a state of drunkenness, and was removed for interrupting the proceedings.

This account of the municipal elections is principally derived from those who supported the Portmen in opposition to the Council. It was freely given, without any attempt at concealment. Not so on the other side.

The treasurer of the Wellington Club, and some other members of the Council, who have taken an active part on these occasions, refused to give any evidence on the subject; but the admissions made by other members of their party, while they suggest the cause of this refusal, corroborate the evidence of their opponents.

Professing to have spent less than these opponents, they admit bribery, cooping, promises of charity money, and other similar means of influencing voters, as practices adopted on both sides.

It has already appeared that the present Town Clerk, who is a Common Councilman, spent between 300*l.* and 400*l.* upon his own election; and at the election of 1825 one of his predecessors, also a member of the council, spent 1,403*l.* This appeared from his examination, under a commission of bankruptcy, and it also appeared that between 1820 and 1827 he had spent 2,932*l.* upon these municipal contests.

The comptroller of customs in the port, who has been a zealous partizan of the Council, and is also one of its members, says that all sorts of stratagems have been resorted to on both sides. For a week before one of these contests he obtained leave of absence from his public duties, and on his return to the borough, on the day of election, he saw a "cargo of cooped voters" brought back by his own party, in a waggon guarded by a double row of men. As to promises, he admits that he has himself, in canvassing a freeman, promised to get him on the Foundation of Tooley's Charity, which is under the management of the corporation; and he excuses himself by saying that others were doing the same thing, on one side as well as the other. That freemen are placed on this foundation, as a reward for their votes, is a matter not disputed.

The Collector of Town dues, another corporate officer, and a violent partizan of the Council, has been employed, he states, in 20 cooping parties all over the country, and he has himself cooped 17 voters at a time. His plan was to seize upon voters of the other party whenever he could find them, to make them half drunk, and then hurry them away in post-chaises. They were confined till the day of election, then brought back to the poll, and if necessary they were again made drunk before they polled. He says that he has seen a shoemaker counting his 10 sovereigns after the election, and that he has heard as much as 50*l.* asked for a vote. "In those times," he adds, "freemen were thought worth notice; now they are mere cyphers." The appointment of this man to a corporate office, appears to be the reward of his cooping services.

IPSWICH.

Municipal Elections.

The following Table shows the offices which have been contested since 1820, and the relative strength of the contending parties:

OFFICE.	1820.	1821.	1822.	1823.	1825.	1826.	1827.	1828.	1829.	1830.	1831.	1832.	1833.
Bailiffs - -	495	397	–	450	468	247	249	–	–	309	478	277	234
	489	395	–	449	467	236	247	–	–	309	477	277	227
	465	330	–	435	425	133	216	–	–	126	317	45	59
	462	328	–	435	424	71	216	–	–	124	316		
						4							
Town Clerk -	485	392	–	451	465	242	242	–	–	312	483		
	462	333	–	432	430	133	216	–	–	124	311		
Town Treasurer	–	–	–	–	–	334	207	–	–	307	479	–	219
						253	136	–	–	125	310	–	68
Crier - -	254	288	236	–	–	332	204	300	–	315	485		
	239	208	223	–	–	254	136	203	–	114	300		
Water Bailiff -	246	276	249	–	–	329	207	299	–	310	484		
	239	215	211	–	–	256	137	206	–	125	298		
Collector of Coal Dues.	–	–	–	–	–	–	206	294					
							136	212					
Hospital Guide	247	291	229	–	–	338	208	289	177	–	–	130	
	231	198	225	–	–	240	132	215	96	–	–	104	

Connexion between the Municipal and General Elections.

The connexion between the Municipal and Parliamentary Elections, while the freemen returned the Members for the borough, has already appeared. The first contest for the municipal offices, in 1820, was the consequence of a successful struggle for the return of those Members, and the same party succeeded in both.

In 1825, the Bailiffs, in returning thanks to the voters, describe the success of their own election as "a triumph which undoubtedly decides the question as to the representation of the borough, though a great number of placemen voted in the opposite interest, who are disqualified from voting for Members." It turned out however upon this occasion, that although the returning officers were favourable, and the poll was declared to be in favour of the candidates they supported, on a petition to the House of Commons, the Members were unseated.

The retirement of one of the Members, in 1826, has been stated as a consequence of the resolution passed by his local committee, that he and his colleague should defray the expense of the bailiwick contest. His colleague, who had subscribed large sums for that contest, afterwards required a deposit of 5,000 *l.* from any new candidate in the same interest. This sum was accordingly deposited before the next election, and the cost of that election is estimated, on this side alone, at 10,000 *l.*

On the other side the deposit proposed was 7,000 *l.* This appears from a letter publicly addressed to a banker in the town, by one of the Members elected: "Mr. Bond," he says in this letter, "was not present in June 1826 when the question of the deposit of 7,000 *l.* was introduced, (and I believe from the best motives,) by a gentleman of character and honour, which was incidentally mentioned during the meeting of Mr. Dundas, Mr. Henry Goulburn and myself, on or about the 16th ultimo, and also the cheque for 2,000 *l.* The conversation which then took place I considered as private, and not to be reported without my concurrence. Mr. Dundas has since candidly stated, in answer to a question put to him in reference to yourself, that there was nothing said by me at that meeting but the truth, or that could affect your character. It appeared at the interview of the 3d instant, that you had no recollection of the proposed deposit of 7,000 *l.*, and I therefore considered the circumstance, according to Mr. Serjeant Goulburn's own proposal, as buried for ever in oblivion, upon honour."

The Mr. Bond whose name appears in this letter is a member of the Council, and one of those who refused to give evidence before the Municipal Commission.

"The representation of Ipswich," continues the writer of this letter, "has been found expensive by my predecessors as well as by me. They are good witnesses on this point. I have understood it to have been customary with candidates to make pecuniary deposits before commencing the contest; and on this subject I may also refer with confidence to men of candour, educated in the feelings and principles of gentlemen. The sale and traffic in votes at former bailiwick elections were notorious; but I am bound to state, in justice to the resident free burgesses, that I have found them both faithful and honest. In my letter of the 3d of September last, to one of my seceding friends, I observed as follows: 'I beg to be understood as not even alluding to the gentlemen of the Common Council, or as expressing any dissatisfaction with their conduct towards me, or of that of the free burgesses, one or two excepted. I feel confident they will not, on any occasion, impugn their own character and principles as a body, or as individuals, or tarnish their sense of right by adopting, as the rule of their conduct, inconstancy and ingratitude, or the unfounded resentments of discontented individuals, however respectable.'"

Notwithstanding the character he here gives of the resident free burgesses, who were found "both faithful and honest," it is admitted by a member of his committee, that 40 at least

least of the residents, who were members of the Wellington Club, received the usual voting money, which was 2 *l.* 2 *s.* each. The sum expended in the town alone, under the direction of this committee, was about 4,000 *l.* The expenses elsewhere could not be calculated.

One of this gentleman's predecessors, who represented the borough from 1807 till 1820 and by whom "the representation of Ipswich was found expensive," has since become a bankrupt; and among the papers which passed into other hands upon his bankruptcy, are some which show the nature of his election expenses.

Payments to Freemen, as Voters.

The following are abstracted from an account sent by his election committee when he was first returned. The account is signed by five members of the Council.

	£.	s.	d.
"Sums paid to Ipswich Voters - - -	243	1	6
— Harwich Voters - - -	94	10	–
— Country Voters - - -	209	1	6
— Distant Voters - - -	721	1	–
Expenses of Country Voters - - -	361	13	7
— Distant Voters - - -	914	4	1
Loss of Voyages, &c. - - - -	62	10	6
Expenses upon the Election Days - -	474	3	2
Publicans' Bills - - - - -	1,112	9	6
Incidental Expenses - - - -	1,620	18	5
Paid Mr. Freeman, on account - -	150	–	–

"*N. B.*—Mr. Freeman claims a balance of 275 *l.* 17 *s.* which remains unsettled, as the committee deem his charges exorbitant."

The "expenses on the election day" include the Admission Fees of 47 freemen in "the blue interest."

The sum paid to Ipswich voters was distributed among 93 resident freemen, of whom 92 received 2 *l.* 12 *s.* 6 *d.* each, and the remaining one 1 *l.* 11 *s.* 6 *d.* for a half-vote. Harwich voters received 4 *l.* 4 *s.* each, and country voters, in most instances, the same. The distant voters 5 *l.* 5 *s.* each, which was paid to 119 freemen. Their expenses were also paid.

The total amount is stated to be less than that of the previous year, when the cost to the same party was estimated at 12,000 *l.*; and it is said and believed in the borough, that on this occasion a check for 10,000 *l.* was sent by a peer.

Current Election Expenses.

In addition to the expenses incurred at the election, the local current expenses of the sitting Members have long been matters of complaint. Among the papers previously mentioned, is an account of these expenses for two years, amounting to 1,382 *l.* 19 *s.* The account, which purports to be signed by one of the present Bailiffs, discloses the following payments at the bank of Messrs. Bacon & Co.:

	£.	s.	d.
Election Expenses - - - - - -	6,617	19	2
Two years' current Expenses - - - -	1,382	19	–

Loans, viz.:

	£.		
Osboral - - - -	60		
G. R. Clarke - - -	50		
Beeston - - - -	40		
	150	–	–

This includes a payment of 635 *l.* 15 *s.* 2 *d.* to the Clubs; of 868 *l.* 11 *s.* 10 *d.* to the Town Clerk; and of 266 *l.* 12 *s.* to one of the Freemen.

Loans to Freemen.

This freeman had been employed as an agent among the London voters. He has been in the service of both parties; and one of his letters from London, to a leading member of a local committee, will show the nature of the loans to voters, three of which occur in the summary just given.

The letter is dated 12 December 1824.

"Dear Sir, "London, Dec. 12, 1824."

"I beg to inform you that a freeman, the name of John Turner, has called on me several times lately, and states he wrote to you some time since for the loan of 20 *l.* upon his promissory note for six months, and that he can get no answer to his application. He tells me that 10 *l.* at this time would be of infinite service to him, if it can be obtained under his note as aforesaid. I believe this *Turner* to be a great rogue. The question is, will his services be required; if that is certain, then it may be better policy to let him have 10 *l.* now than 20 *l.* or more hereafter. This, I suppose, is matter of consideration for your committee. As soon as this case is decided, shall be thankful for an answer, as I wish to get rid of this troublesome fellow. With much regret that I am compelled to plague you thus,

"I remain your's, very truly,

"*Thomas Catchpool.*"

IPSWICH.

Another letter, jointly addressed to the same individual, by four freemen of the borough, will further illustrate the system of elections:

"Sir,

"I and my family beg the favour of you to oblige if you please to speak to Mr. Brame, the Renter Warden, to give our mother a room in the Foundation, as our mother hath been on the rowl seven years, and my father and sons hath been promised by several Blue Wardens to do the favour for our mother and the family, but short of their promise; and if the family have that favour granted from the Oring party, we in return with gratitude and thanks will return the uttermost endavours by our voice and intrust to serve you and your friends in the Oring party. Our father hath for thirty-two years been obliged to serve the Blue intrust, but thanks be to God releised, and when ever in return to your favour we are at your and friend service. Our mother is in her seventh year of age, if by your kindness that be done, we all are sincere friends.

"*Wm. Pack*, sen.
"*Wm. Pack*, jun.
"*Jno. Pack*, jun.
"*Robt. Pack*, jun."

(*See* PATRONAGE. Hospital Foundations.)

The number of freemen polled at the contests for the representation of this borough since 1820, have been as follows:

1820.		1826.		1830.		1831.	
Majority.	Minority.	Majority.	Minority.	Majority.	Minority	Majority.	Minority.
430	427	496	488	406	150	468	327
428	424	495	488	406	—	467	327

The last of these contests was on the occasion of the Reform Bill, and the notorious corruption of the constituency was then assigned as a reason by many gentlemen for refusing to be put in nomination. Of the 795 freemen who voted at this election, only 310 were resident in the town; of the remaining 485, the majority reside in London.

IV. JURISDICTION.

The Borough Jurisdiction, both criminal and civil, is exclusive.

Magistracy.

The Magistracy is composed of the bailiffs, the recorder, and the four portmen annually appointed assistant justices.

Local Courts.

The Local Courts, which are held by the corporate authorities exclusively, are,

1. A Court of General Sessions.
2. Court of Small Pleas.
3. Petty Court.
4. Portman's Mote.
5. Court of Admiralty.
6. Court Leet.

Besides these, a Court of Requests is held by the corporate authorities jointly with other commissioners.

1. General Sessions.

The Criminal Court, entitled "The General Sessions of the Peace and General Gaol Delivery for the Town and Borough of Ipswich, and the Liberties thereof," has cognizance of all offences committed within the corporate limits; but it is not the practice of the court to try capital offences. It is held before the six borough magistrates, of whom the two bailiffs, the recorder, and one assistant justice must be present.

Hitherto it has been held only twice a year, but in consequence of an increase in the number of prisoners, it will in future be held every quarter; such at least is the present intention. No periods, however, have been fixed, and the recorder has expressed some doubt whether he can attend four times a year.

Delay in holding the Sessions, and its Cause.

The interval between the last two sessions extended to eight months, and a prisoner, committed on the 17th July, remained in prison without trial till the 12th February following. Two of the portmen urged the impropriety of this delay to the chief magistrates, who replied that the town clerk was absent, and that the sessions could not be held till his return. At this time the gaol was filling fast, and in February there were 33 prisoners for trial, a greater number than had ever been known.

The only cause assigned for this delay in holding a court, was the favour or courtesy of the chief magistrates to the town clerk.

A similar delay occurred in 1825-6. No sessions were held from the 25th of July 1825 till the 1st of March 1826.

Juries.

Juries, both Grand and Petty, are empanelled by the town clerk. No list is kept, but about 200 householders are considered eligible for the grand jury; and about 250, out of 2,000 ratepayers, are summoned for the petty jury. The same individuals frequently serve. No charge of partiality was made in the selection.

Attornies act as advocates, and counsel only attend when the county and borough sessions are held at the same time. Their fees are not allowed as costs.

The town clerk's fees, and other costs, are regulated by those of the county sessions, and are nearly the same in amount. The fee for an ordinary indictment varies from 5 *s.* to 10 *s.*, and the expense of an ordinary prosecution varies from 3 *l.* to 4 *l.*

Number of Prosecutions.

The following Table shows the number of commitments for felony and misdemeanor, during the years 1830, 1831, 1832; the number of prisoners convicted, acquitted, and discharged; the number transported; and the expenses allowed:

		Years.	Number of Persons Committed for Trial for Felony.	Number Convicted.	Number Acquitted.	Number Discharged for want of Prosecution.	Number against whom no Bill was found.	Number Transported.	Expenses Allowed.
									£. s. d.
Felonies -		1830	21	16	3	2	–	8	80 10 –
		1831	22	12	10	–	–	3	76 1 4
		1832	35	25	7	–	3	7	110 7 7
Misdemeanors:	Not Assaults.	1830	2	2	–	–	–	–	11 9 –
		1831	–	–	–	–	–	–	—
		1832	4	2	2	–	–	–	13 – 3
	Assaults.	1830	2	2	–	–	–	–	7 14 10
		1831	2	2	–	–	–	–	9 8 –
		1832	4	4	–	–	–	–	8 2 10

Appeals

Besides the criminal business, Appeals against the rates are heard at these sessions. In 1831 three appeals were entered and two were heard; in 1832 two were entered and one was heard; in 1833 there were none. The expense of an ordinary appeal varies from 8 *l.* to 10 *l.*

Marshalsea Rate.

A borough rate, called a Marshalsea Rate, is imposed by the magistrates at sessions: the maximum rate is 2 *s.* in the pound on all property in the borough subject to parochial assessment, and the maximum sum raised is 1,600 *l.* The sum last raised was 662 *l.* 8 *s.* 10 *d.*

On an average of the last 50 years, the amount has been 1,000 *l.* a year. During the present century it has considerably increased, and the progressive variation is shown in the following statement:

YEAR.	AMOUNT.	YEAR.	AMOUNT.	YEARS.	AMOUNT.
	£.		£.		£.
1785 - -	400	1802 - -	400	1819 - -	2,800
1786 - -	600	1803 - -	200	1820 - -	1,800
1787 - -	600	1804 - -	1,200	1821 - -	1,800
1788 - -	200	1805 - -	—	1822 - -	1,600
1789 - -	800	1806 - -	800	1823 - -	1,200
1790 - -	800	1807 - -	400	1824 - -	2,000
1791 - -	200	1808 - -	400	1825 - -	1,800
1792 - -	400	1809 - -	2,400	1826 - -	1,400
1793 - -	400	1810 - -	1,600	1827 - -	1,400
1794 - -	400	1811 - -	1,200	1828 - -	1,200
1795 - -	200	1812 - -	1,200	1829 - -	1,000
1796 - -	200	1813 - -	1,200	1830 - -	1,000
1797 - -	800	1814 - -	1,800	1831 - -	800
1798 - -	—	1815 - -	1,000	1832 - -	1,200
1799 - -	400	1816 - -	800	1833 - -	1,200
1800 - -	400	1817 - -	800		
1801 - -	1,200	1818 - -	2,600		

IPSWICH.

It is stated by one of the assistant magistrates, that many Improper Charges are thrown upon this rate. The allowances to prosecutors he instanced as much too large. In the year 1832–3, they amounted to 129*l.* 16*s.* 11*d.* This sum includes fees to the town clerk; and in the expenditure of the same year appears a further sum of 77*l.* 9*s.* for other fees and allowances to the same officer. These allowances and charges have been frequently opposed by the assistant magistrates, but they are supported by the bailiffs, whose political connexion with the town clerk has been noticed.

The cost of a new bridge was adduced as another instance of improper expenditure. A contract was made for 4,000*l.*, and the cost was 7,000*l.* In this case the fault is thrown by the corporation on the engineer, under whose direction all the expenses were incurred.

The following is an Abstract of the Receipts and Expenditure for the year, ending 11th March 1833:

RECEIPTS.

	£.	s.	d.
Balance of account allowed 16th February 1832	156	2	8
Amount of rates and arrears	1,194	6	4
£.	1,350	9	–

EXPENDITURE.

	£.	s.	d.
Repairs of bridge	41	18	–
Gaol and bridewell, including maintenances of prisoners and conveying convicts for transportation	548	14	4
Mendicity house, apprehending vagrants, and relieving them	81	14	9
Allowances to prosecutors and witnesses at sessions and assizes, including town clerk's fees	129	16	11
Town clerk's bills and allowances	77	9	–
Coroners, for inquisitions and orders	16	12	–
Ditto for attending the assizes	9	–	–
Hall-keeper and shire-hall	3	14	9
Salary to chaplain to gaol and orders	30	6	–
Ditto to his clerk	2	18	–
Surgeon to gaol and bridewell, and orders	50	6	–
Billet master and orders	8	14	6
Allowances to constables and town servants attending the sessions, and other services	169	5	–
Printing, advertisements and stationery	28	8	–
Allowance to overseers for Population Returns	32	6	6
Treasurer's salary	50	–	–
£.	1,281	3	9

The first half-year's account was audited at the sessions held on the 24th of July 1832, by the bailiffs, the recorder, and two assistant justices. The second half-year's account was audited on the 11th March 1833 by the bailiffs, the recorder and one assistant justice.

This abstract was published in conformity with the Act of Parliament, and, except during the three years previous to 1828, the publication has been regular. With reference to the omission of those years, the following notice appeared in the "Suffolk Chronicle" of May 31, 1820:—

"Ipswich Marshalsea.—The omission to publish an account of the receipts and expenditure of our Marshalsea rates for the last three years, is supplied in this week's paper; but if the abstract, which is all that can be given within the limits of a newspaper, does not afford sufficient information on the subject, we are requested by the magistrates to repeat what they themselves have frequently made known, that the treasurer's accounts may be inspected by parish officers, and other persons interested, any Wednesday, on the town-hall."

Petty Sessions.

Petty Sessions are held twice a week, on Monday and Thursday, and the magistrates generally sit for three hours.

2. Civil Court of Pleas.

A Civil Court, called "The Court of Small Pleas for the Town and Borough of Ipswich," was established by the charter of Edward 4th. It has cognizance of all pleas, real, personal and mixed, where the cause of action arises within the borough.

The bailiffs are the judges, and the court may be held by either of them.

It sits every fortnight, and the great majority of actions brought are for the recovery of small debts. Trials are rare, and for many years none have taken place. Upon these occasions the recorder has attended, and summed up the evidence. Two of the most recent instances are the following: In 1821 an action for debt went on to trial, and a verdict was obtained for 64*l.* 16*s.* 5*d.* In 1823 there was again a trial for debt, and a verdict for 21*l.*; but there is no entry of an execution.

Appearance is not enforced, but entered by the plaintiff according to statute. The defendant gives bail to the bailiffs. He may remove the cause to a superior court, and this privilege is assigned as a reason for the limited extent of business in the local court.

The ordinary Process is by writ, in the nature of a capias; and execution is levied on the body, lands and goods, within the borough. The officers appointed to execute this process are

are the town serjeants; but in the more important cases, a special officer is appointed at the request of the plaintiff, to the great dissatisfaction of the serjeants.

Four town Attornies, admitted by the freemen at their great court, have a nominal monopoly of the practice; but their privilege is not enforced, and it is only necessary to make use of their names, which is done as a matter of course, and without their consent.

Costs are taxed by the town clerk, but not fixed by any table. The charge for a writ is 1 *l.* 11 *s.* 6 *d.* If an action is settled before judgment, the average amount of costs is about 2 *l.* 10 *s.*; if on judgment by default, about 5 *l.*; if on judgment after verdict, about 8 *l.*
The costs of the trial in 1821, previously mentioned, were 13 *l.* 12 *s.* 6 *d.*

The following Table shows the number of actions commenced in the years 1830, 1831, 1832; the number of persons imprisoned on mesne-process; and the number and nature of the executions, with the amount for which they were ordered:

YEARS.	Number of Actions or Suits commenced.	Number of Persons taken to Gaol on Mesne Process.	Number of Executions Issued or Ordered against			TOTAL AMOUNT for which Executions ordered.
			Body.	Lands.	Goods.	
						£. s. d.
1830 - -	38	6	2		4	213 17 10
1831 - -	29	4	—	—	—	—
1832 - -	21	4	- -	- -	2	40 17 6

3. Admiralty Court.

The corporate jurisdiction extends over the port of Ipswich, and the bailiffs are Admirals of the Port.
Its boundaries and extent are thus defined:
"From the sand called the Platters, on the north east-side of Landguard Fort, south-eastward into the sea, to the west side of the sand called Cork, and thence continued in a straight line to the promontory called the Naze, on the coast of Essex; and from the outward bounds extend inward to the land by the coast on both sides, and by the town of Harwich, through the river of Ipswich to the town of Ipswich, and no farther *."
A court is still formally held before the bailiffs, or the bailiffs and recorder, when the perambulation of the boundary takes place, and upon these occasions a jury of 12 burgesses is sworn. The juries are selected by the town clerk, as clerk of the court, and they present trespasses or encroachments on the river. The last presentments were made in 1826, but nothing further was done, nor is any record preserved of their proceedings.
A steward was appointed by the bailiffs in 1811, with no other duties to perform than to join in the presentments, and he states that he is ignorant whether he still remains in office.
The regulation of the river was transferred, by an Act of Parliament in 1805, from the corporation to a body of local commissioners, including some members of the council, but leaving them in a minority. The commissioners have proved much more efficient functionaries than the corporate officers, and the transfer of authority is a benefit to the town. —(*See* Town Dues.)
The Admiralty rights of the borough are not affected by the Act in question.

4. Petty Court of the Bailiffs.

A Petty Court is held before the Bailiffs, for passing the real estates of a minor. The estate must be within the precincts of the borough; and the deed, which may be acknowledged at any age after 14, must be enrolled by the town clerk. It then becomes a record of the town, and all persons are entitled to a copy.

5. Portman's Mote.

At a court, called the Portman's Mote, which is held by one of the bailiffs, fines of all kinds were formerly levied and recoveries suffered. The last recovery suffered was on the 19th of September 1832. This court is still used for passing the estate of a femme covert, who is examined by the bailiffs, and about 12 estates are annually passed.

6. Court Leet.

A Court Leet was formerly held by the 16 headboroughs; but in 1793 their functions were transferred by a local Act to the paving commissioners.
These are the courts under the exclusive jurisdiction of the corporation.

7. Court of Requests.

The commissioners of the Court of Requests, which is held within the town, are the bailiffs, the high steward, recorder, portmen, common councilmen, the Members of Parliament for the borough and 56 others. They fill up any vacancies that occur in their own body, and 17 have been recently elected, who are all of the same political party. Five are a quorum. The bailiffs seldom attend. No attornies are admitted. The clerk of the court is a portman.
This court sits every Tuesday at 11 A. M., and their sittings continue for a couple of hours. The number of cases brought before them has varied from four to 20.

Although

* *See* Report on the Borough of Harwich—Jurisdiction; Admiralty.

IPSWICH.

Although the party spirit of the corporation extends to the election of the commissioners of this court, no complaints were made of partiality in their administration of justice.

Police.

For the purposes of Police, the 12 parishes composing the borough are distributed into four wards, and to each ward a serjeant is assigned.

The acting police consists of 23 parish constables, besides a number of night-watchmen.

They are nominated by the vestries of their respective parishes, and appointed by the magistrates.

All act throughout the borough, but their duties vary in their several parishes. In some they act as a preventive police, and visit the public houses; in others this is not the case.

They have no regular salaries, but their charges are paid, partly by their parishes and partly out of the Marshalsea rate. The sum paid out of the rate during the last year has already been stated.—(*See* Sessions; Rate.) The sum paid by the parish of St. Margaret, was 98 *l.* 16 *s.*

Inefficiency of the Police.

The Inefficiency of the Police is a subject of much and general complaint in the town.

Two merchants concurred in stating, that they considered mercantile property to be ill protected, and that such was the general feeling among mercantile men in the town. Their statement was not contradicted.

At a meeting of the farmers in the neighbourhood, which took place last year, to consider the means of establishing a better police, the same feeling of insecurity was expressed.

A gentleman living in the parish of St. Margaret, one of the principal divisions of the borough, corroborated this complaint of the merchants and farmers; and a constable of the same parish, who has served for three years, says, that there are not more than 10 efficient men in the whole constabulary force. He complains of the remuneration as insufficient; to which a magistrate replies, that the bills sent in are exorbitant. It appears that in every parish there are numerous candidates for the office.

Many Presentments have been made by the Grand Juries, calling the attention of the magistrates to the disorderly state of the town. Respectable females are said to be exposed to insult as they pass along the streets; and the chief magistrates of the borough, so far from being able to afford protection, are themselves publicly insulted by the freemen. Such is the statement made by the late foreman of a grand jury, and it was corroborated by an assistant magistrate, who adds, that he has seen the bailiffs insulted by freemen, even while they were sitting on the bench.

Two constables were appointed last year to maintain order in the streets, but their duties were negligently performed.

The last presentment of the grand jury, made in July 1833, after specifying certain grievances, concludes thus:

"We regret to add, that many of the foregoing subjects of complaint have been presented by former grand juries, but that no benefit has resulted to the public from their representations; and we cannot close our labours without expressing our earnest request and confident expectation, that the magistrates of the town will take such steps as to them may appear most expedient to enforce the removal of the grievances complained of, and to abate the nuisances above-mentioned."

Special Constables.

During the races, which continue for three days, Special Constables are sworn in by the bailiffs. The persons selected are either poor old Freemen or their relations, who receive 2 *s.* 6 *d.* a day each, and are under the control of the treasurer of the Wellington Club. Many complaints are made of their conduct, and their appointment appears to have no other object than to influence or reward their votes at the elections. The practice is considered very objectionable by the assistant magistrates.

In 1830, while incendiarism prevailed, and riots were expected, a body of special constables, about 200 in number, were sworn in; and upon this occasion the inhabitants of all classes willingly came forward to support the corporate authorities.

At the contested elections it is not usual to swear in constables, but partizans who assume the name are appointed by the committees of the opposing candidates, and paid by the candidates. They are in fact mere bludgeon-men.

Gaol.

The Borough Gaol, which is the property of the corporation, contains six day rooms, 25 sleeping apartments and 4 yards.

One of the yards is appropriated to females, another to prisoners convicted, a third to untried felons, and a fourth to misdemeanants. The classification of offenders is very imperfect. There are now 29 prisoners, including eight debtors. The greatest number confined at any time in the course of last year was 48, among whom were 18 smugglers.

The total number of commitments during the three previous were, in

1830	-	-	-	-	74
1831	-	-	-	-	76
1832	-	-	-	-	97

The number of debtors confined during the same three years, was 34, 38 and 32 respectively.

No employment is found for the prisoners. Their diet is a pound and a half of bread daily, three quarters of a pound of cheese weekly, with beer, milk and occasionally potatoes. The weekly cost of this food is 2 *s.* 2 ¼ *d.* per head. Clothes are also provided.

The

The bread is supplied by members of the corporation, who are selected by the magistrates.
The surgeon visits the gaol every day; the chaplain once or twice a week; and the magistrates at irregular intervals, the longest of which is three weeks.
The prisoners returned as sick, during the years 1830, 1831, 1832, were,

1830	2
1831	6
1832	8

In general they leave the gaol in a healthy state. A female, of the age of 25, convicted of highway robbery, remains in good health, after nearly 12 months solitary confinement. One death occurred last year, the only one within a period of 34 years. The deceased was a female, who was ill at the time of her commitment. She was visited every day by the surgeon, and died after trial and conviction.
An annual report on the state of the gaol is made to His Majesty's Secretary of State.

Licenses.

The borough contains 101 licensed houses, and of these 47 belong to one individual. His son is a member of the council, who has been twice elected bailiff; but the proprietor of the houses is not himself a member of the corporation.
No complaints are made of Licenses improperly granted or withheld.

Poor.

The management of the Poor is not in the hands of the municipal authorities

V.
PATRONAGE.

The Patronage of the corporation is exercised, partly by the freemen collectively, and partly by the corporate officers.

1. Master of the Grammar School.

The Master of the Grammar School is chosen by the freemen.
His salary is 150*l.* a year, and he is provided with a dwelling-house and a large school. The appointment is for life.
The present master is a graduate of the University of Cambridge, and was formerly tutor of Trinity Hall.
When the last vacancy occurred, in 1832, it was proposed to the Assembly, by a leading member of the council, that the appointment should be made without reference to parties or politics. The assembly acquiesced, and resolutions were passed with a view of securing the most eligible candidate. Testimonials were produced by several gentlemen, and referred by the corporation to those in whose judgment they had confidence.
The result of this reference appears in a subsequent resolution passed by the assembly, on the motion of a common councilman, seconded by a portman. It is dated the 9th of March 1832:
"This Assembly, considering the duty which they, in common with the rest of the corporation of Ipswich, owe to the town and to the public at large, in performing the trust confided to them, of electing a master for the Grammar School, and having regard to the duty which they owe to themselves, of endeavouring to give effect to the resolutions passed at the last and preceding assemblies, which have for their object the selection of the most eligible of the numerous candidates for the mastership, feel it incumbent upon themselves most earnestly to recommend to the corporation to be assembled in great court, for the election of a master; that they will confirm and give effect to the resolutions before mentioned, by electing to that office one of the two gentlemen who have been selected by the assembly as possessing qualifications for that office far superior to those of the other candidates, namely, the Rev. James Collett Ebden and the Rev. William Church Totton.
"This Assembly is anxious to avoid any expression which may tend to restrain the burgesses from the free exercise of their rights, privileges and opinions; but they feel bound especially to recommend to their notice the Rev. James Collett Ebden, the first-named of those two eminently-qualified gentlemen.
"This assembly pledges itself to use all proper means to carry into effect the beforementioned resolutions."
At this stage of the proceedings the Wellington Club interfered; they brought forward an individual, whose testimonials were considered not only inferior to those of Mr. Ebden, but inferior to those of many other candidates. This individual was a personal friend of the town clerk, who is a member of the club. A contest was threatened; and, in anticipation of the contest, Mr. Ebden deposited a cheque for 500*l.* towards the expenses of the election, and out-voters were brought from Harwich, Norwich, Bury and London.
The club, however, being unwilling to incur an expense of 600*l.*, which was the estimated cost of bringing down a sufficient number of out-voters on the other side, abandoned the contest at the last moment, and Mr. Ebden was then elected without a poll.
Of the 500*l.* he had deposited, 387*l.* were paid away to the Freemen, and the remainder was returned to him. The whole cost of his election, which is said to have been managed with the greatest economy, is calculated to have been 700*l.* The largest sums paid to individuals were paid to the voters who came from Norwich.
This proceeding on the part of the club is represented as very disgraceful, even by members of the council, who are politically connected with it. Two of the Common Councilmen who refused to give evidence upon oath, were the club leaders on this occasion.

Since his appointment, the new master has been laying out money for the improvement of the school. The present state of its funds, which are under the control of the corporation, will be stated under a distinct head.
The last order relating to the tuition, rescinded a previous order for teaching writing and arithmetic. The occasion of this was a statement made by the treasurer of Tyler's Charity, that the funds were inadequate to the expense.—(*See* Funds and Revenues under the control of the Corporation.)

IPSWICH.

2. Governors of Christ's Hospital.

The four Governors of Christ's Hospital are annually elected by the freemen, and the election has been four times contested within the last eight years.

They are called in the charter of Elizabeth "The Governors of the Possessions, Revenues and Goods of Christ's Hospital in the Town of Ipswich;" and they are made accountable for their behaviour to the corporation.

The nature of their government, and of the account which is exacted from them, will appear hereafter, when the management of the possessions and revenues of this and other charitable foundations is reported.

The spirit in which they are chosen appears from the following instance.

Two years ago Mr. Bacon, a known opponent of charity abuses, was requested by some of the Council, to allow himself to be put in nomination as one of the governors. Recollecting the failure of his former attempts to correct those abuses, and knowing the difficulties he must encounter, he hesitated at first, but afterwards acceded to the request. On the following day he was told, that his nomination had given offence to others in the Council, and the nomination was dropped.

This gentleman states, that the same controlling influence in the corporation which interferes with the exercise of its municipal functions, interferes with every improvement in the administration of its charities and patronage.

Number of Boys.

The Governors have the Privilege of nominating the boys on the foundation. The Number of Boys during the last five years has never exceeded 16, and this number was only kept up for three months. Within the last year it has been reduced to four, and is now again increased to 10.

The election of the guide to this hospital, with the functions and emoluments of his office, have been previously stated.

3. Living of Gedding.

The Living of Gedding in Suffolk is in the gift of the bailiffs, recorder, senior portman and town clerk. It is in the diocese of Norwich, and its value is stated to be 75*l.* a year. The last presentation was made four years ago, by the bailiffs and town clerk. The incumbent is a freeman, and a graduate of the University of Cambridge. He does not reside on his living, but lives within three miles of the parish, and has no other preferment.

The selection of this individual is represented by one of the portmen as a party affair; but it is not denied that he is an eligible person.

4. Wardens of Hospital Foundations.

The four Wardens of Tooley's and Smart's Foundations are annually chosen by the assembly. Two are selected from the portmen, and two from the common councilmen, in conformity with the wills of the donors.

The bailiffs and wardens jointly have the Privilege of selecting the objects of Tooley's charity, and the wardens alone those of Smart's.

Pensioners.

The number of Pensioners receiving the benefit of the former, is 95; and of the latter, 37. They receive 2*s.* 6*d.* a week each, and a certain number of them are provided with rooms in the hospital belonging to the foundation, besides an allowance of fuel and clothing, and the advantage of medical attendance. The renter warden, who is the receiver of the rents, has the privilege of appointing the inmates of those rooms, as they happen to become vacant. A surgeon is appointed by the wardens, at an annual salary of 50*l.* a year. He is a member of the assembly.

It is notorious that the pensioners upon this foundation are selected for party purposes, and that their participation in the charity is frequently a reward for their votes at elections. Such is the uncontradicted statement of a portman.

Hospital Regulations.

Rules and Ordinances have been made for the government of the Hospital, and the renter warden, who nominates the inmates, is the person entrusted to enforce the regulations. Among them are the following, which are inscribed on the tomb of the founder:

"If any of the poor persons, after the election and receiving them into the house, shall be detected and found guilty of any notable vice, as felony, whoredom, bawdry, or such like vice or crime, that then he or she shall be removed out of the said house, and be discharged of the relief by the wardens for the time being.

"Also, if any of the said poor persons shall suffer any other to be lodged with them, without the special licence of the said wardens, or two of them, they shall be abated of their relief for 14 days following; and for the next like offence, double so much; and for the third like offence, shall be removed out of the house."

In 1819 the attention of the wardens was called to the infraction of the Rules, and they made the following order:

"It having been ascertained that some of the inn-door objects of Mr. Tooley's and Mr. Smart's foundations, have permitted their daughters to lodge with them, contrary to the established rules and regulations of these charities, and that the peace of the aged and infirm hath been disturbed thereby; we, the undersigned wardens, do direct that such practice be immediately discontinued."

How far these "established rules and regulations" are enforced by the Wardens may be collected from the evidence that follows:

A surgeon living close to the hospital complains that his family is exposed to frequent annoyances from young persons who are lodging with the inmates. One of the young persons he complains of was a common prostitute, living there with her grandmother.

He

He states, that he has frequently seen the Renter Warden smoking and drinking with this girl, whose conduct and language were equally indecent; and although he made complaints to the municipal authorities upon the subject, the nuisance was not removed till the girl was committed to gaol for a felony. While she was in gaol he attended her professionally, and found her in a state of deplorable disease.

Similar complaints were made by many others, who had been exposed to the same annoyance. A person, whose wife is a pensioner on the foundation, states, that when the renter warden came to visit this girl, her grandfather was sent out to buy liquor for them. He had met the warden after those visits in a state of intoxication, and remonstrated with him on the impropriety of his conduct. The hospital passages, he adds, have been allowed to become a common resort for young persons of both sexes.

A dressmaker, living immediately opposite, gives a similar account of the indecent conduct exhibited in this institution. It was a nuisance, she says, to the whole neighbourhood, and for two years she was compelled, not only to witness indecencies, in spite of her complaints to a magistrate of the town, but she was exposed to personal insult, without being able to obtain any redress. The town clerk observed, that such things had existed for years, without complaints.

The girl in question has been lately convicted at the sessions, and transported for stealing. The Renter Warden continues a member of the Council, and has twice been elected the Chief Magistrate of the town, with the support of the Wellington Club.

By the rules of the hospital the Inmates are required to attend Church. Some years ago an ineffectual attempt was made by one of the wardens to enforce this rule by protesting against the future admission of any but communicants or regular attendants of the Established Church. The following protest was entered in the books of the corporation:

"Having, as a warden of Tooley's Foundation, taken the usual solemn oath that I will see the rules and regulations appertaining to that charity are complied with by all persons who are admitted thereon, and with the view to prevent the recurrence of those abuses which have hitherto crept into it, to the almost subversion of the benevolent donor's intentions, as described and settled in the indentures tripartite, and particularly that of absenting themselves from church on the Sabbath-day; I feel it my duty to protest, and do now protest against the future admission of any person or persons who do not either produce a certificate from the minister of the parish that they are regular communicants of the Established Church, or give satisfactory assurance to the wardens that they will in future regularly attend it."

VII. PROPERTY.

The Revenues of the corporation exceed 2,000*l.* a year. They consist of a water rental; the rents of lands, houses, mills and other tenements; petty rents; and port dues.

1. Water Rental.

The Water Rental, which forms a considerable part of the revenue, is now farmed for 11 years from 1832, at 700*l.* a year. It had previously produced, by public auction, 900*l.* a year. The two present lessees are both freemen, and one is a member of the council.

The water arises from springs in certain lands which the corporation hold under long leases, and it is conveyed into the town by pipes and mains, laid down at their expense.

Monopoly of Water, and its Effects.

This source of revenue is a source of much discontent in the town. The corporation claim a Monopoly of the supply, and the inhabitants complain that they are ill supplied.

The claim of the former to a monopoly is founded on their exclusive right to break the soil, and in proof of this right they refer not only to their lordship of the soil, derived from the charters, but to many previous licenses applied for and granted by them to lay pipes on the town main.

The inhabitants, on the other hand, complain of the inconvenience arising from the existence of this privilege; and to show the extent of the inconvenience, it is calculated that one-tenth of the whole population of the town suffers from a deficient supply of water.

The instances adduced were very numerous: one person had been without water for two or three days in the week; another for a whole month; a third had been obliged to make his servants sit up at night, to watch an opportunity for pumping, and frequently he had been obliged to send out and buy water for his family; a fourth stated that he and his wife had often sat up for the same purpose, and when he had complained on the subject, he was asked, "what he would do if he had no water at all?" In answer to another complaint made to the collector, by a tradesman who had been without any water for some days, it was said, "that there were too many buildings to be supplied, and the deficiency could not be helped." These complaints have now continued for many years, without redress.

When the last lease was granted, a condition was introduced, that the lessees should provide a sufficient supply. It is admitted by these lessees that some parts of the town have been ill provided for three months out of the twelve.

Election Influence.

Admitting the evil, the cause assigned is, not a natural deficiency of quantity, unequal to the demands of the town, but the constant jobbing which is going on with the pipes. This jobbing will be found throughout the management of the corporation property. The object is, to secure votes at the elections, by finding constant employment for freemen; and with this view the pipes are frequently taken up, and the water is turned off without any necessity, and only as an excuse to keep a certain number of voters in pay. One of the portmen states, that many

IPSWICH.

many of them may be seen idling about the streets, while they are receiving wages for this superfluous work.—(*See* Expenditure.)

After suffering for many years all the inconvenience arising from this inadequate supply, a remedy was at length found by the inhabitants. A landed proprietor in the neighbourhood of the town, having springs on his own property, erected reservoirs and laid down a new main, with branch pipes for the supply of those streets, where the want was most strongly felt. This was done in 1831, and since then the inhabitants of those streets have been well provided with water, and at a cheaper rate than before. All agree in this, and there is no doubt that the proprietor in question has the means of keeping up both a better and a cheaper supply than the corporation. The superior advantage he possesses, either from the position of his reservoir, or from the better management of his works, was strongly instanced during a recent fire. The corporation pipes were dry an hour before the fire was extinguished, and that part of the town where it broke out was indebted to the new main for its preservation.

Further effect of the Monopoly.

Proceeding of the Corporation, in defence of their Monopoly.

This main, however, being considered an interference with the monopoly of the corporation, they gave notice to the proprietor, that if he continued to break up the soil in any of the streets or public ways of the town, without their permission, or if he suffered the pipes already laid down to be used to their detriment, an action would be commenced against him. This notice was given on the 10th November 1831.

Although in this instance the corporation enforce their exclusive privilege, it appears that there are several individuals who are allowed to supply other parts of the town from springs upon their own estates, none of whom are supposed to have obtained, or even applied for, the consent of the municipal authorities to lay down their mains; but as they have not attempted to introduce them in places where those of the corporation are fixed, no objection has ever been made, and they have been allowed to supply certain parts of the town without interruption. This, however, is not the case with the proprietor in question, who has sufficient springs to enable him to carry his pipes through any and all of the streets; and if he could establish his right to do so, it would materially diminish the revenue which the corporation derive from this source.

They have offered him a lease, but he declines the terms, and has desisted from laying down pipes. The consequence is, that the comfort, health and security of a large portion of the inhabitants are sacrificed to a municipal privilege; and in the midst of plenty of water they continue to feel its want.

Petition to the House of Commons.

A Petition has been recently presented to the House of Commons, complaining of this grievance, and the prayer of the petitioners is, that the House "will speedily pass some measure for the alteration of the municipal corporations of England and Wales, and that in such measure ample provision should be made against any corporation using its property or exercising its power, so as to injure the town over which it presides."

2. Lands.

The corporation Lands and Buildings are occupied under various leases, and in many cases by freemen and members of the council. The following is a description of the property and of the existing tenancies:

1. Handford Hall Farm, 168 acres in extent, which is let for 11 years, from 11th October 1826, at 220 *l.* a year. The tenant is not connected with the corporation.

2. A fourth undivided part of a farm at Whitton, 160 acres in extent, let for 11 years, from 11th October 1832, at 270 *l.* a year, which has been reduced by agreement to 225 *l.* a year. The remaining three-fourths of this estate belong to charitable institutions, the revenues of which are under the control of the corporation.

3. Part of another farm at Whitton, 90 A. 3 R. in extent, let for the same term, from 11th October 1829, at 131 *l.* a year.

The Charity Commissioners report, that a yearly sum of 12 *l.* 12 *s.*, in the nature of a rent-charge, was paid by the corporation, in right of this farm, to the funds of Tooley's and Smart's Charities; instead of which, "one-fifth part of the clear rent of the farm ought to be paid to the rent warden for the use of the charity by the corporation."—(19th Rep. p. 460.)

The portion of rent now retained by the corporation is 98 *l.* 16 *s.*

Waste has been committed by the tenants of this estate to a considerable extent; and all the young trees have been cut down. The present tenant is a Freeman; and his predecessor was Mr. Jackaman, a Common Councilman, who was for many years the town clerk.—(*See* Town Clerk.)

4. Marsh land in the borough, 109 A. 1 R. 28 P. in extent, let out in various parcels, for 11 years, from 11th October 1829, at an aggregate rental of 242 *l.* 16 *s.* a year.

Of 15 tenants, eight are Freemen, and four of the eight are members of the Council. A valuation of these lands has been made by a surveyor, and the reserved rents are in accordance with his valuation, but deductions have been since made by the assembly.

One of the freemen was allowed the refusal of a lease, and is allowed to continue a tenant, without paying his rent.

5. A mill in Ipswich, called Stoke Mill, with a meadow, which is supposed to be from six to eight acres in extent, let to two tenants for 14 years, from 11th October 1831, at 150 *l.* a year.

One

One of the present Bailiffs is a lessee.

6. Another mill in Ipswich, called Handford Mill, with two marshes, the extent of which are not known, let for 15 years, from 11th October 1830, at 160 *l.* a year.

7. A meadow within the borough, called Waterhouse Meadow, 5 A. 0 R. 13 P. in extent, let for 11 years, from 11th October 1829, at 14 *l.* a year.

8. Two pieces of Land in Bramford, called Thornbushe's Land and Figgins' Land, occupied without a lease, at 9 *l.* 10 *s.* 9 *d.* a year.

The occupant is a Freeman.

9. Another piece of land at Bramford, the extent unknown, producing 1 *l.* 3 *s.* 1 *d.* a year.

10. The Oyster Grounds, let for 21 years, from 25th December 1824, at 5 *l.* a year.

The lessee is the Water Bailiff.

3. Buildings in the Town.

The Buildings in the Town belonging to the corporation are:

1. The Custom House, let for 11 years from 11th October 1824, at 35 *l.* a year.

2. The Town House, let for 14 years from 11th October 1829, at 20 *l.* a year.

The tenant is a Common Councilman.

A part of this building is occupied by the Literary Institution, under a lease for 21 years from Michaelmas 1831, at a rent of 1 *l.* a year.

The house has been rebuilt at a considerable expense. Both the surveyor and builder were members of the corporation, and the former a member of the Council.—(*See* Debts.)

3. The Conduit House, let for 14 years from 29th September 1819, at 12 *l.* a year.

The tenant is a Common Councilman.

4. The Shire Hall, let to the county magistrates for 21 years from 29th September 1817, at 50 *l.* a year.

This building was erected on land belonging to Christ's Hospital, and the rent is apportioned between the hospital and the corporation. The latter retain 30 *l.* in right of the building, but the nature of their right does not appear. The apportionment was determined by a resolution of the assembly passed in 1816, and it is described by one of the former town clerks as a "mistake."

5. The Corn Exchange and vaults let for 14 years, from 6th January 1829, at 42 *l.* a year.

This exchange was built by the corporation in 1811–12 at an expense of 3,300 *l.*, of which they borrowed 2,000 *l.* on security of the building and bonds.

It is a subject of dispute between the corporation and the frequenters of the market. The former complain, that "notwithstanding the agreement entered into, the merchants neglected to pay their stand rents, and the gentry discontinued their subscriptions; and after various ineffectual attempts on the part of the agents of the corporation to collect them, the arrears up to Christmas 1822 amounted to above 1,500 *l.*, and the corporation being unable to make more of it, was induced to let the Corn Exchange on lease to Mr. James Masters, for 42 *l.* per annum, on a lease, which afterwards came into the hands of Mr. Brothers, and has now expired.

"Thus the corporation has been, and still, is paying 100 *l.* per annum for interest of the 2,000 *l.* borrowed, and losing the interest on the 1,300 *l.* more expended, and receiving since 1822 only 42 *l.* per annum; and all the arrears due at that time have been sunk."

An order was made by the Great Court for shutting up the market, but the order has not been enforced.

6. The crane and common quay, let for 11 years, from 29th September 1824, at 60 *l.* a year.

7. St. Peter's Dock, let for 11 years, from 29th September 1824, at 10 *l.* 10 *s.* a year.

4. Petty and Quit Rents.

The Petty and Quit Rents have in most instances been lost through neglect, but some are still paid. An order was made by the assembly in 1830, "That inquiry be made into the petty rents of the corporation, and an accurate list made out of the same, and the respective arrears thereof." This has not been done.

The rents actually received are inconsiderable. They appear to have been reserved in right of the soil, portions of which were originally granted by the corporation, on payment of a fine and a nominal rent.

Quit rents were formerly paid, but they have been lost through the same negligence.

5. Town Dues.

The Town Dues are levied on all coals, coke, cinders and culm imported. The rate is 2*d.* a chaldron, which is payable by the registered owners of ships. Freemen are exempt, and if part-owners, their partners only contribute *pro rata*.

The quantity imported last year was 43,000 chaldrons.

The average amount collected is about 250 *l.* a year. The amount collected in 1830, 1831, 1832 and 1833, was as follows:

	£.	s.	d.
1830	243	13	11
1831	156	10	–
1832	225	18	8
1833	307	10	3

The cause of the deficiency in 1831 has been previously explained, by the default of a collector. During the last year the collection has been increasing.

IPSWICH.

These dues were originally granted to the corporation, as conservators of the river, for the improvement of its Navigation. They were not, however, applied to that purpose; and by the River Act another fund was provided, and the navigation as well as the fund were placed under the control of local commissioners.

The transfer of the control was strenuously opposed by the corporation, but it is admitted by their officers that the navigation has been materially improved since it was taken out of their hands. There is now more water in an ordinary tide than there formerly was at a spring tide, and where a vessel of 100 tons was formerly detained, a vessel of 200 tons can now pass. The annual saving to the merchants is also represented to be considerable, although an additional duty is levied. The amount raised on an average of 14 years has been 2,630*l.* a year; and the saving to the merchants is calculated to be 4,500*l.* This arises from the improved state of the river, which enables them to avoid the expenses of craft, to which they were formerly put, as well as the peculations and losses to which their merchandize was exposed.

The management is now in the hands of those who are politically opposed to the council; and the Commissioners admit their anxiety to exclude all corporation influence. This party spirit and retaliation appears not only in the election of the commissioners themselves, and in the appointment of the managing committee, but even in the employment of day labourers.

The hostility of the corporation to this body of local functionaries has been shown in a recent instance, which will be reported under the head of Alienations.

Summary of Revenue.

The several sources from which the permanent income of the corporation is derived, have now been enumerated, and the following is a Summary of the Income:

	£.	s.	d.
Water Rental	700	–	–
Farms at Whitton	155	1	–
— Handford Hall	220	–	–
Mill and land at Handford	160	–	–
— Stoke	150	–	–
Marshes in the borough	242	16	6
Waterhouse Meadow	14	–	–
Lands at Bramford	10	13	10½
Oyster grounds	5	–	–
Public buildings in town	210	10	–
Petty Rents	3	13	6
Town Dues (average)	250	–	–
£.	2,121	14	10½

These are the rents reserved by the leases, but the actual receipts fall short of the rents reserved. Some are reduced; others are allowed to remain in arrear; and others again are subject to heavy deductions for repairs.

Actual Receipts.

The following summary of the accountant shows the amounts actually received by the Town Treasurer during the years 1827 and 1828. Since then no account has been entered in his book:

RECEIPTS,	1827. £.	s.	d.	1828. £.	s.	d.
Handford Hall	155	15	10	131	13	10
Water, &c.	547	8	1	380	16	3
Kersey's Farm	39	15	11	52	10	–
Ooze	–	–	–	26	–	–
Corn Exchange	39	–	–	42	–	–
Farm at Whitton	–	–	–	41	6	6
Quay and crane	42	15	10	22	1	6
Ditto warehouse	19	4	8	10	15	1
Custom House	35	–	–	17	10	–
Handford Mill	209	10	10	187	6	7
Stoke – ditto	59	17	10	92	8	11
Conduit House	17	14	–	9	10	2
Shire Hall	30	–	–	28	18	–
Marshes	118	17	2	151	2	6
Coal dues	245	9	5	267	13	5
Petty rents	5	16	–	49	10	–
J. Edwards	3	3	5	—		
Ditto	5	2	11	—		
Fines	–	–	–	5	–	–
Balance from late Treasurer	27	6	4	4	13	1
Ditto due to Mr. Denham	–	–	–	9	3	3
£.	1,601	18	3	1,529	19	1

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The deductions are principally for repairs.—(*See* Expenditure.)

Debt.

The corporation property is now charged with a Debt of 14,300 *l.*

The history of this debt is involved in much obscurity, and it was with difficulty that its amount was ascertained.

No counterparts of the bonds and mortgage deeds, by which it is secured, are kept by the corporation, nor have they even copies of those deeds.

No entries appear in the treasurer's accounts of monies received on loan since 1818, although a debt of 4,600 *l.* has been since contracted.

No member, either of the council or of its finance committee, knew the extent of the corporate liabilities when the Municipal Inquiry commenced. Some said they amounted to 10,000 *l.*, and others said other sums. It was only on the 7th day of that Inquiry that one of the council most conversant with the financial affairs of the corporation, learnt for the first time that its debt had increased to 14,000 *l.*

A portman said, that while he was in office as treasurer, he made many endeavours to ascertain the state of the debt, but without success. He searched the treasury, but he could find neither books nor other documents to assist him.

The present treasurer neither knew its amount nor the interest paid, or payable, by the corporation. He referred to the bailiffs.

The treasurer of last year, one of the present bailiffs, and a banker, was equally ignorant.

A sum of 1,500 *l.* was borrowed during his treasurership, and all he knew about it was, that 1,421 *l.* 16 *s.* 4 *d.* were paid into a London bank on account of his own bank in Ipswich. He did not know by whom this money had been paid, nor for what purpose. Without any order from the bailiffs, he afterwards transferred 1,000 *l.* to the account of Mr. Catt, a member of the council, who held a corporation bond; and he has since paid 435 *l.* 18 *s.* 1 *d.* to the same Mr. Catt, on account of the same bond, and without any further authority. For explanation, he referred to another member of the council, who had the management of this transfer.

The Common Councilman to whom he referred, states that the 1,500 *l.* borrowed, after deducting the expenses of the loan, were paid into the bank on account of the bailiffs; and as these things are "so irregularly done," without waiting for authority from the bailiffs, he took upon himself the responsibility of payment. He is himself a partner in the Bank.

The following memorandum is the only Statement that I could obtain of this Debt:

	£.	s.	d.
Mr. Catt, on bond, 5 per cent. balance - - - -	600	–	–
29th Sept. 1830, Colonel Clarke, on mortgage, 4 per cent. -	8,500	–	–
— 1832, - ditto - ditto - ditto -	1,500	–	–
Mr. Brame, on mortgage - - - - - -	1,500	–	–
John Cobbold, jun. Esq., 5 per cent. - - - - -	400	–	–
Corn Exchange Securities, 18 at 100 *l.* each, 5 per cent. -	1,800	–	–
£.	14,300	–	–
Paid off three Corn-Exchange Securities - - - -	300	–	–
£.	14,000	–	–
Bacon & Co., due on the Town Hall, 5 per cent. - -	500	–	–
	14,500	–	–
Paid off Mr. Cobbold's security - - - - - -	200	–	–
£.	14,300	–	–

It is impossible to trace satisfactorily either the progress of the debt, or the application of the monies borrowed. The only facts which could be elicited are these:

In September 1808 there was an existing mortgage debt, on which the corporation had long refused to pay interest. An action of ejectment was brought, and they then borrowed 3,000 *l.* to pay off the mortgage.

From this time to 1818 nothing further appears, but in 1818 the amount was 9,800 *l.*

The purpose for which this new debt of 6,800 *l.* was incurred is unknown. In the treasurer's book of the year appears an entry of 5,000 *l.* received on loan, and this is the last entry of that nature, although large sums have been since received.

The sum borrowed, between 1818 and 1833, was 10,000 *l.* The only account of it preserved in the books of the corporation is to be found in the following resolutions of the Assembly and orders of the Great Court.

At an Assembly, held on the 21st of April 1830, it was agreed and ordered, "That it be recommended to a great court that the sum of 10,000 *l.* be borrowed on security of the marshes, the two mills and Handford Hall farm, in order to pay off the present mortgage and bond debts, and the outstanding bills against the corporation, that sum having been offered at 4 per cent. interest for eight years certain, on condition of such interest being paid half-yearly, and within three months after the same shall become due."

These bond debts and outstanding bills are not specified.

IPSWICH.

At a Great Court, held on the 11th May following, it was ordered, "That the sum of 10,000*l.* be borrowed on security of the corporation marshes, Handford Hall and the two water mills, in order to pay off the mortgage debt of 5,000*l.* due to the late Mr. Clarkson, and other bond and simple contract debts due from the corporation, and that the common seal of the corporation be affixed to the deed of security at some future great or petty court."

The "other bond and simple contract debts" are not specified.

At another Great Court, held on the 29th September of the same year, the following resolution was passed:—"Mr. Brame having consented to allow his mortgage for 1,500*l.* to remain on the present security at 4 per cent., resolved that it be advisable to borrow only 8,500*l.*; and it was agreed and ordered that the common seal be affixed to the deeds of security, and that the sum borrowed be applied towards paying off the outstanding debts of the corporation under the direction of the finance committee."

Mr. Brame is one of the portmen.

At a Great Court, held on the 29th September 1832, a further order was made, "That the sum required to pay off the debt due on bond from the corporation to Mr. Catt be borrowed on a further mortgage of the estates comprised in the mortgage to Colonel Clarke, and the corporation part of Mr. Hallum's farm, at 4 per cent. not exceeding 1,600*l.*, and the common seal be affixed to the securities."

Mr. Catt has already been mentioned as a member of the Council.

Appropriation of Loans.

The appropriation of the 8,500*l.*, part of the 10,000*l.* borrowed, was determined by the Assembly in 1830, after forming itself into a finance committee.

An advertisement appeared in the county papers, inviting all claimants to send in a statement of their claims upon the corporation. The claims then brought in, and allowed, amounted to 972*l.* 8*s.*

A list of bills, amounting to 1,428*l.* 11*s.* 5*d.* was produced, and their payment was ordered out of the sum borrowed. The nature of these bills does not appear.

It was also ordered by the Assembly, "That the principal and interest money due on the mortgage to Mr. Clarkson's executors, and the expenses, be paid out of the same sum of 8,500*l.*

"Also, that 525*l.* be paid to Mr. Bacon, in reduction of his mortgage debt secured on the town-hall.

"That the balance of the said sum, after paying the above-mentioned claims, be paid to Mr. Catt, in reduction of the principal and interest due on his bond.

"That Mr. Catt be requested to deliver in his account against the corporation up to this time."

These are orders of the Assembly, and not of the Great Court. There is no official entry of the payments: but the actual application of the whole 10,000*l.* is said to have been as follows:

		£.	s.	d.	£.	s.	d.
1830, Oct.:	Mortgage Debt: paid Clarkson's executors	5,000	–	–			
	Interest on ditto - - - ditto - - -	61	18	4			
	Mr. Notcutt's bill, their solicitor - - -	10	16	4			
	Mr. Brame's bill - - - - - -	3	18	2			
	Messrs. Nettleship & Co., solicitors to Clark's trustees - - - - - - - -	42	12	8			
	Rodwell & Co., for mortgage securities, stamps, &c. - - - - - - -	89	–	–			
	Town Clerk's bill, affixing seals, perusing deeds, &c. - - - - - - -	9	2	6			
					5,217	8	–
	Mortgage Debt: paid Bacon & Co. - - - - -				617	4	6
	J. Garrett, iron-founder, for iron main laid down to water-works, as per contract - - - - - - -				437	10	6
	Old Simple-Contract Debt paid.						
		£.	s.	d.			
	Simpson's executors' carpenter - - -	110	8	2			
	Samuel Lane, carpenter - - - -	324	15	2			
	Ditto - - ditto - - - - -	20	16	10			
	Rev. J. Hallum, arrear fee-farm rent - -	20	4	7			
	Messrs. Tovell, stonemasons - - -	52	11	2			
	J. Hanting, bricklayer - - - -	159	16	7			
	Robert King, plumber - - - -	172	4	6			
	Bromley & Co., solicitors, claiming estreats, &c.	19	8	8			
	Law Expenses: defendants' taxed costs in Rex *v.* Lane & Cobbold, by order of Great Court	42	4	2			
	Ditto - - - S. A. Notcutt - - -	34	8	3			
	Interest arrear, Walford - - - -	15	–	–			
					972	8	1

	£.	s.	d.
S. Lane, carpenter (record-room)	104	–	–
Grammar-school repairs, on account	100	–	–
Nettleship & Co., bills for mortgage securities and deeds for 1,500*l.*	78	3	8
Bond Debt: Mr. B. B. Catt, on account of principal £. 1,000 – –			
16 Dec. 1833 – Ditto – – ditto 1,000 – –			
Ditto – – ditto, leaving due 600*l.* 435 18 1			
	2,435	18	1
Balance to be carried to Treasurer's current account	36	17	2

The only account of the 5,000*l.* paid to Clarkson's executors is an order of the Assembly, made in 1818: "That the sum of 5,000*l.* be borrowed of Captain Benjamin William Page, on account of the corporation, on security of Handford Hall and Mill, and be applied towards the liquidation of the several debts now due from the corporation."

The greater part of the other payments specified in this account were made to members of the corporation.

Payments to Members of the Assembly.

The sum paid to Mr. Catt, it appears, was 2,435*l.* 18*s.* 1*d.*, and he still holds a bond for 600*l.* There was an unsettled account of long standing between him and the corporation, and the finance committee had directed that the account should be laid before them. This was not done; but, without waiting for the account, the money was paid.

Mr. Catt was a member of the finance committee; he is also one of those who refused to be sworn as a witness, and is the person who referred to his burgess oath as a justification for not disclosing the secrets of the corporation. No other member, either of the council or committee, could give any explanation of his claims to such sums beyond this, that it arose from a building account, and that when he was bailiff he obtained a bond for 2,932*l.*, with interest at five per cent.

One of the council said, that a committee had been formed to examine these accounts. He did not know whether he was himself on the committee, but he had never seen the accounts, and he referred to a former officer of the corporation, who is a family connexion of Mr. Catt, as the person best able to explain them. The individual referred to had gone through the accounts to his own satisfaction, but he was unable to give the expected explanation.

At an Assembly lately held, the following order was made:

"That an assembly be held on Monday next, the 10th instant, for the purpose of passing Mr. Tovell's account and Mr. Catt's."

They were not passed on Monday the 10th instant, or if passed, it was unknown to those members of the Assembly who were willing to give evidence. In the meantime the balance has been struck, and a bond given for the amount.

In this instance the payment was made to a member of the Council before any statement of his accounts. In the following instance two securities, held by one of the Portmen, were paid off by himself while he filled the office of Bailiff, and without any authority. They were bonds for 100*l.* each, secured on the Corn Exchange. He had purchased them for 80*l.* each, expecting, as he states, that he would get nothing for them. The interest was regularly paid as long as he held them, and when his party came into power, and he was himself elected Bailiff, he secured the principal also by paying off the bonds. No previous notice had been given of an intention to pay them off, nor was there any order, either of the Assembly or of the Great Court, to sanction the payment. All the other bondholders, it appears, would have been equally glad to secure their money; but the bailiff considered that he was entitled to pay himself first, and the funds in hand were not sufficient to pay the others. These are two of the three securities which appear in the statement of debts.

The corporation have for 10 years owed 32*l.* to the paving commissioners: applications are made every year for payment, and the claim is not disputed, but the debt remains unpaid.

Expenditure.

The Expenditure of the corporation for the years 1827 and 1828, including the interest on the debt, is arranged by the accountant under the following heads. Since 1828 no account appears in his book:

Disbursements:	1827. £.	s.	d.	1828. £.	s.	d.
To Town Hall	30	16	–	31	2	8
Salaries and Servants	312	5	6	403	–	3
Ringers and Music	22	11	6	14	14	–
Interest Account	590	9	7	422	8	4
Grammar School	77	8	3	159	6	4
Bread to Churches	10	15	–	44	12	6
Sessions	53	4	6	73	16	–
Freemen and Great Courts	44	7	6	45	7	6

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IPSWICH.

Disbursements—*continued.*	1827. £. s. d.	1828. £. s. d.
Annual Expenses	96 15 5	46 10 7
Law - ditto	175 14 8	121 14 6
Races	47 6 –	56 8 7
Tower Church	108 10 –	108 10 –
Christ's Hospital, Bills	4 5 1	2 7 10
Scarlett's Bill for St. Peter's Bridge	4 11 10	—
Lane's Bill	7 8 9	—
J. Aldrick	10 16 –	—
Balance paid Mr. R. Denham	4 13 1	—
£.	1,601 18 3	1,529 19 1

Payments for Repairs and Work to Members of the Corporation.

This summary, however, does not exhibit the whole of the expenditure. The greater part of the tradesmen's bills for repairs are deducted from the rents, and do not appear among the disbursements. The proportion which the deductions bear to the rental is shown in the following instances, selected from the last of the two years:

The gross receipts on account of the Water Rental and Water-house Meadow, were 785 *l.* 5 *s.* 3 *d.* The tradesmen's bills amounted to 309 *l.* 18 *s.* 5 *d.*, or nearly 40 per cent. on the rental.

The gross receipts on account of Handford-hall Farm were 209 *l.* The tradesmen's bills amounted to 51 *l.* 2 *s.* 2 *d.*, or nearly 25 per cent. on the rental.

The gross receipts on account of Stoke Mill were 177 *l.* 17 *s.* The tradesmen's bills amounted to 38 *l.* 3 *s.* 7 *d.*, or more than 20 per cent.

The gross receipts on account of the Marshes were 195 *l.* 18 *s.* 6 *d.* The tradesmen's bills amounted to 31 *l.* 1 *s.* 6 *d.*

The total amount of these bills was 613 *l.* 2 *s.*, which is nearly 30 per cent. on the gross receipts.

Freemen are in almost all cases employed in these repairs. To keep them in pay upon the corporation estates is one of the means resorted to for securing their votes at the elections. This is admitted by both parties, and it is described by one of the Council as a part of the general system. The annual contests, he says, for municipal offices have made the freemen of greater consequence, and rendered it necessary to consult their interests more, in order to obtain their support: hence an increased expenditure for repairs. The Bailiffs order the work to be done, and have no power to prevent it. Frequently it is begun without waiting for their order, and while it is going on, they are told that it is necessary. An efficient control is described as impracticable.

The following instance will show the nature of the control exercised by the Assembly. It is taken from the assembly book:

"An estimate having been delivered to this meeting by Mr. Daniel Simpson, for completing the sluice and flood-gates at Stoke Mill, agreeable to the plan approved, and the scantling and specifications delivered by Mr. Wright, which estimate amounted to the sum of 1,077 *l.* 14 *s.*; and Mr. Wright, who is the surveyor appointed on the part of the corporation, stating the work ought to be completed for the sum of 857 *l.*, the said Daniel Simpson was permitted to withdraw and re-consider the business, and on his attending the meeting soon afterwards, he consented to complete the work, subject to the plan and specification delivered, at the sum of 857 *l.*; when the question being put to the meeting, whether the said Daniel Simpson should, on account of the difference between his estimate and the sum he agreed to take, be employed, and on a division the numbers appearing equal, the chairman decided in favour of the said Daniel Simpson."

This Daniel Simpson was a Freeman, voting in the interest of the Council.

Mr. Bacon, who was chairman of the Assembly when this decision took place, says, that it is quite impossible to understand how the corporation revenues have been squandered away.

The portmen on the other hand claim credit for having saved 1,000 *l.* while they were in office, solely by putting a stop to jobs, and appointing a surveyor.

The same lavish expenditure, for the same election purposes, will be found extending to the Charity estates under the control of the corporation.—(*See* Funds and Revenues specifically appropriated.)

Another head of disbursements, referable to the same object, is the distribution of half-crowns among the Freemen, at their great courts, and their appointment as constables at the races. The amount is about 100 *l.* a year. The person selected by the council to distribute these half-crowns is the treasurer of the Wellington Club.

The remaining heads, taken in the order of the accountant, require very little explanation.

Town Hall.—The greater part of this sum was paid to Freemen for repairs. The hall has been a prolific source of expenditure. Mr. Catt alone is said to know the extent.

Salaries.—These have been enumerated under the head of Officers.

Grammar School.—The greater part of this amount is for tradesmen's bills:

	£. s. d.
Tradesmen's Bills	119 11 –
Salary of Master	38 13 4
Land Tax	1 2 –

Interest,

Interest, (*see* Debt.)—The interest paid to Colonel Clarke is 4 per cent. The members of the Assembly receive 5 per cent.

Bread to Churches.—This is a charge connected with the charities. The bread is supplied by Freemen.

Sessions.—The sessions dinners paid by the corporation are described by one of the assistant magistrates as "scandalous."

Law Expenses.—This sum was paid to the Town Clerk.

Tower Church.—This is an annual charge, for the salaries of the lecturer and officers of the church, and the amount is distributed as follows:

	£.	s.	d.
Lecturer	72	10	–
Rev. T. Cobbold	12	–	–
Organist, sexton and clerk	24	–	–

The total expenditure of the corporation cannot be ascertained, because many payments are made without any entry in the treasurer's accounts. The following sums appear in the audit book, as the amount of disbursements allowed during the 20 years ending in 1830:

YEARS.	AMOUNT.			YEARS.	AMOUNT.			YEARS.	AMOUNT.		
	£.	s.	d.		£.	s.	d.		£.	s.	d.
1811 - -	2,433	8	10	1818 - -	8,000	6	6	1825 - -	2,160	9	9
1812 - -	1,889	4	11	1819 - -	2,791	8	7	1826 - -	1,931	18	10
1813 - -	3,082	1	8	1820 - -	1,915	11	4	1827 - -	2,072	7	8¾
1814 - -	2,698	–	5	1821 - -	2,008	16	9	1828 - -	2,262	18	4
1815 - -	2,148	7	1	1822 - -	2,550	17	7	1829 - -	1,935	12	4
1816 - -	2,350	7	9½	1823 - -	2,122	5	7¾	1830 - -	1,766	1	8¾
1817 - -	2,412	5	11	1824 - -	1,880	10	3				

According to this statement the expenses allowed by the auditors have, on an average of 20 years, exceeded 2,000 *l.* a year. This, however, does not include the payments for which the recent debt was incurred.

Alienations of Property.

The following Alienations of real property have been made within the last 50 years:

1. A piece of the ooze, or soil of the river, 4 acres in extent, sold to the river commissioners for 800 *l.*

2. Another piece of the ooze, about 13 acres in extent, sold in 1828 to John Cobbold, jun. esq., for 300 *l.* The purchaser is the father of a common councilman, but not himself in the council. These 13 acres, which were sold for 300 *l.*, are of the same quality as the four acres sold for 800 *l.* The purchase-money therefore in this case would appear, by comparison with the purchase-money in the former, to be much below the value of the property; but the river commissioners, by improving the land before they bought it, had materially increased its value, and we see no reason to think that the unimproved land sold to Mr. Cobbold was worth more than he gave.

The corporation spirit, however, is no less manifest in this transaction than in many others. The commissioners, who have greatly improved the river, were desirous of purchasing the second piece of ooze, and it was to prevent their having it that the corporation sold it to Mr. Cobbold. The motive is admitted.

3. The last alienation was in 1832, when a piece of land, in Whitton or Bramford, was sold to one of the portmen for 40 *l.*

Application of Proceeds.

The Proceeds of all these sales are said to have been applied to the general purposes of the corporation. The application, however, cannot be traced in the books, nor is there any entry of the 800 *l.* paid by the river commissioners.

When the last sale was proposed to the great court, objections were made by the freemen; but as soon as it was understood that the purchase-money would be distributed in half-crowns among them, the objections were immediately withdrawn.

These are the only alienations within the period stated of which any account is preserved.

Lost Property.

Property to a considerable extent is said to have been lost by negligence. Mr. Bacon proposed, in 1818, to go through the books, for the purpose of seeing what might be recovered; but other members of the council refused their assistance, and among them were those whose assistance would have been most efficient.

Accounts and Audit.

The last Account rendered by the treasurer is that of the year 1830–31, which with the account of 1829-30, was audited in February 1834, after notice of the Municipal Inquiry.

The nature of the Audit may be inferred from the proceedings upon this occasion. Late in the evening the accounts were produced. The Bailiffs were in a hurry, and went away. The Portmen were all absent, and only four members of the Council remained. One of the two accounts was not gone into, but passed without examination. It had been previously examined by a portman and a common councilman, and as the latter expressed himself satisfied, the auditors signed it as a matter of form. The other account was investigated, and found to require amendment. The error was, the entry of a payment which had never been made.

IPSWICH.

made. After amendment, it was passed. The audit-book was first signed, and then the account.

Neither of these two audited accounts are entered in the accountant's book.

An order was made in 1832 by the Great Court,

"That an account of the income and expenditure of the corporation for the current year be published at the expense of the corporation, and that a copy be given to each free burgess who may apply for the same."

No publication has taken place, nor indeed has any account been made up since this order was made.

The town clerk says, that the freemen have been sometimes clamorous in their demands to see the accounts; but the object of their clamour he supposes to have been the 2*s.* 6*d.*, which they receive for attending the court.

VII. FUNDS and REVENUES specifically appropriated.

Various Funds and Revenues are under the control of the corporation, with a specific appropriation to purposes of charity.

A description of the property from which the several funds arise, and the nature of the trusts under which they are respectively held, will be found in the 19th Report of the Charity Commissioners. The exercise of this trust, and the management of the property, form so important a part of the system pursued in this borough, that a report on the existing state of the corporation would be incomplete, if the following facts connected with the administration of charities were omitted.

Some of these funds belong to the institutions which have been mentioned under the head of Patronage. Many have been consolidated, as applicable to the same purpose. They may all be arranged under the following heads:

1. Tooley's Foundation.
2. Smart's Foundation.
3. Christ's Hospital.
4. The Grammar School Foundation.
5. Tyler's Charity.
6. Snow's and Osmond's Charity.
7. The Lending Cash Fund.
8. Allen's, Scrivener's, Burrough's and Martin's Consolidated Fund.
9. Cutler's Charity.

1. Tooley's Foundation.

The Revenue of Tooley's Foundation amount on an average to 1,000 *l.* a year. This appears from the receipts during the 20 years ending with 1832:

YEAR.	RECEIPTS.	YEAR.	RECEIPTS.	YEAR.	RECEIPTS.
	£. s. d.		£. s. d.		£. s. d.
1813	1,203 – –	1820	1,041 – –	1827	1,008 – –
1814	735 – –	1821	1,050 – –	1828	887 – –
1815	828 – –	1822	968 – –	1829	1,022 – –
1816	1,010 – –	1823	873 – –	1830	818 – –
1817	1,749 – –	1824	944 – –	1831	873 – –
1818	1,037 – –	1825	983 – –	1832	940 – –
1819	901 – –	1826	955 – –		

Occupation and Management of the Property.

A part of the property from which the revenue arises, consists of the manors of Ulverston and Sackvylls. The steward of the manor is the present Town Clerk. There are six farms, and two of the six are tenanted by Freemen. One was for many years occupied by Mr. Jackaman, the former town clerk, and I have already reported the waste committed on the estate.—(*See* Corporation Property; Whitton and Bramford Farm.)

Of another, the surveyor reports in 1830, "for want of information and the tenant's inability, no regular or proper account could be taken of the several crops on each field." This is the Claydon Farm.

Since 1830 the rents have been fixed after the surveyor's valuation; but as the rents actually paid are not the rents reserved, the valuation is of little practical use.

The receiver of the rents is the renter warden, who gives no security, although he has sometimes a considerable balance in hand.

Application of the Revenues.

The expenditure of the year 1831–32 amounted to 1,171 *l.* 8*s.* 10*d.* The sum expended on the objects of the charity, was 716 *l.* 7*s.* 2*d.*, viz.:

	£. s. d.
Weekly payments	539 8 –
Clothing and fuel	176 19 2
£.	716 7 2

Payments to Members of the Corporation.

A surgeon is appointed with a salary of 30 *l.* a year, and he is a member of the Council.

Large

IPSWICH.

Large sums are expended in repairs, which are generally done by Freemen. In 1817 the heavy bills of the freemen, some of whom were members of the Council, prevented the usual allowance of 2 *s.* 6 *d.* a week to the pensioners; and the annual charges have never been so far reduced as to permit any increase of this allowance.

One of the Portmen states, that while he was renter warden he saved in one year more than 200 *l.* to this and Smart's Charity, by refusing to countenance unnecessary work.

With a view of checking this expenditure, which is admitted to be extravagant, two Orders have been made by the corporation; one is, that no repairs exceeding 10 *l.* should be commenced without an order of the wardens; the other, that no bills should be allowed without inspection by the surveyor. Neither of these orders are enforced.

An Order was made in 1827, that the balance then due from the renter warden to the charity, should be invested in a mortgage security. A security was proposed, but not approved; and this, like the other orders, remains a dead letter.

Irregular Audit Accounts.

At the time it was made, the balance in hand amounted to 650 *l.* When the last account was settled this balance had increased to 674 *l.* 19 *s.* 7 *d.* It continues in the hands of the renter warden till the Audit, which takes place at irregular intervals, and sometimes not for years after his account is closed. In the meantime he has the use of the money, and whenever there has been a balance against him, he has charged and been allowed interest to the day of payment.

The receipts and expenditure of the last year are not yet accounted for.

Many of the former accounts are lost or mislaid, and the corporation knows nothing about them.

2. Smart's Foundation.

The Revenue of Smart's Foundation is about 500 *l.* a year.

From a comparison of the revenue during the years 1810–11, 1820–1, 1830–1, it appears to have been progressively increasing.

The sums received were as follows:

	£.	s.	d.
1810–11	385	18	8
1820–21	455	18	–
1830–31	506	11	3

Management of the Revenues.

But notwithstanding this increase, the expenditure annually exceeds the income, and it is said that the charity cannot go on as at present.

No addition, however, has been made to the number of pensioners, and their pension never exceeds 2 *s.* 6 *d.* a week.

The constant charges for repairs prevent any increase either of the one or the other. To show the character of these charges, it was stated by a member of the Council, that a sum of 900 *l.* had been laid out upon one of the farms, in making a covered passage to an outhouse.

Of the 506 *l.* 11 *s.* 3 *d.* received in 1830–1, the sum expended on the Pensioners was 370 *l.* 11 *s.* 3 *d.*; viz.

	£.	s.	d.
Weekly Payments	304	12	6
Clothing	30	12	2
Fuel	35	6	7
£.	370	11	3

The surgeon receives 20 *l.* a year.

Accounts.

The Accounts are now kept with those of Tooley's Foundation, and audited at the same irregular intervals. The receiver is also the same renter warden.

Balances.

At the end of the year 1823–4 the Balance in favour of the charity was 328 *l.* 2 *s.* 1 *d.* At the end of 1831-2 the balance was 439 *l.* 4 *s.* against the charity.

In consequence of this excess of expenditure, the aggregate balance of the two charities is now fast diminishing. That of the year 1823–4 remaining in hand on the 14th September 1826, amounted to 1,122 *l.* 7 *s.* 11 *d.*; viz.

	£.	s.	d.
Tooley's	794	5	10
Smart's	328	2	1
£.	1,2	7	11

The balance remaining in hand, on the 26th September 1833, was reduced to 235 *l.* 15 *s.* 7 *d.*; viz.

	£.	s.	d.
Tooley's	674	19	7
Smart's, due to treasurer	439	4	–
£.	235	15	7

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3. Christ's Hospital.

The Revenue of Christ's Hospital is estimated to be 400 *l.* a year.

Ten years ago the receipts amounted to 413 *l.* The receipts last accounted for were 362 *l.* 17 *s.* 5 *d.*

Management and Occupation of Property.

A considerable part of this fund arises from a farm at Debenham, which is let for 120 *l.* a year. The tenant is the son-in-law of a member of the Council. He last year applied for a reduction of his rent, and at the joint request of his father-in-law and the present treasurer of this fund the corporation surveyor visited the farm, to report on the propriety of a reduction. He made the following report:

"I find, on reference to my memorandum, I did not see the farm on the late tenant's quitting. In 1830 I observe I was there, with a view to see the state of repairs, and report thereon, and also the state of cultivation; and noticing the same was incorrect, Mr. Cook said, from the bad state and improper husbandry, he could not get into the regular course of cropping. Not having surveyed the farm when the late tenant quitted, or my attention directed to it, I cannot, with any degree of satisfaction to myself, or in justice either to the trust or tenant, say what and if any deduction ought to be made."

The difficulty felt by the surveyor was not felt by the Assembly, or if felt, more easily removed. Two months after this report the tenant was allowed a deduction of 10 per cent., and he is now 78 *l.* in arrear.

All the timber on these estates has been cut down, and it is admitted by members of both parties in the assembly that nothing can be worse than the management of this property. A former town clerk says, that when he was treasurer of the hospital, in the year 1823–4, the condition of the Debenham Farm was deplorable. He never saw a farm so dilapidated. Complaints had been repeatedly made to the Bailiffs on the subject, but the bailiffs, he says, were too intimate with the tenants. They used to go over and dine with them, charging the charity estate with the expenses of their journey, and at the same time reducing the rents.

The appointment of a steward or surveyor was long opposed in the assembly, and when it was ultimately carried there was much discontent.

Irregularity of Accounts.

Some ineffectual attempts have, at different times, been made to introduce regularity in the settlement and audit of the Accounts.

The charter of Elizabeth, by which the hospital was established, requires that the governors, who are annually elected, "shall, in the following year, and in the presence of the bailiffs of the said town, give a full account of all that they have done in the premises throughout the whole year of their office aforesaid to the four other governors who shall succeed in the same place."

In pursuance of the charter an order was made, at a great court held on the 27th September 1744, "that the governors of Christ's Hospital do pass their accounts within three months after they are off their office."

In 1814 a further order was made by the bailiffs and governors,

"That the treasurer do continue to enter in a book his account of receipts and disbursements, and deliver over the same to his successor in office, at the audit at which his accounts shall be passed, and which shall be held before the next ensuing rent-day."

Notwithstanding these orders, and the charter, no account has been settled since that of the year 1831–2, which was audited in September 1833; and when the treasurer went out of office, in 1824, the accounts of four years remained unsettled. In the meantime no security is given for the money.

The present treasurer holds the same office in the Wellington Club: his predecessor was Mr. Catt, whose irregularities in matters of account have been noticed in a former part of the Report. As both these officers refused to be sworn as witnesses under the Municipal Commission, and no account has been rendered to the corporation since 1831-2, I am unable to report the present state of the fund.

Legacy to the Hospital, how disposed of.

One of the gifts with which the Hospital has been endowed, is a Legacy of 240 *l.* bequeathed by Lady Kemp. It was received by a former Town Clerk, one of the Council, who purchased stock to the same amount in the public funds, and has since continued to pay the interest. Frequent applications have been made by treasurers of the hospital for a transfer of the dividends; but they met with no attention, and the transfer was never enforced. This member of the Council is now insolvent, and no one could state positively whether the stock had been sold out, or still remained available for the charity. The insolvent had given no security.

4. Grammar School.

Recent Report on its Endowments, and their Appropriation.

Since the Report of the Charity Commissioners was made, a committee of the assembly has been appointed to investigate the endowments of the Grammar School. They state in their Report, "that the original Endowment, under the charter of Queen Elizabeth, was 38 *l.* 13 *s.* 4 *d.* per annum, to be paid out of the fee-farm rent payable to the Crown, viz. 24 *l.* 6 *s.* 8 *d.* to the master and 14 *l.* 6 *s.* 8 *d.* to the usher; that this payment has ever since been continued, although of late years the master has received the whole, and the corporation have consolidated the offices of master and usher, and have ceased to appoint the usher, as formerly they were accustomed.

"That an annual payment of 6 *l.* 13 *s.* 4 *d.* was directed by the will of Mr. Smart to be paid to the master and usher of the Grammar School, and that until the period of the appointment of the present master it was regularly paid; and although such payment has not since that period been continued, that in future it should be paid by the receiver of Smart's Charity, in accordance with the recommendation contained in the Report of the Commissioners for inquiring into Public Charities.

"That

"That the treasurer of Christ's Hospital has for some time past received the rents and profits of Mr. Felaw's lands, which were by his will appropriated to the master of the Grammar School, and that the master has for some years past received annually the sum of 11 *l.*, being probably the original amount of the annual value of such lands.

"From Felaw's house (called formerly the Usher's house) no rent until lately has for many years been received, it having been occupied by William Cox, the late master of the Hospital School; but in consequence of that building having been recently let on a building lease at an annual rent of 21 *l.*, your committee are of opinion that such annual rent should, after the balance now due to the treasurer of Christ's Hospital is discharged, be appropriated towards the annual salary of the master of the Grammar School. The original payment of 38 *l.* 13 *s.* 4 *d.*, the payment of 6 *l.* 13 *s.* 4 *d.* from Smart's Charity, and the rent of Felaw's, taken at 21 *l.*, make together the sum of 66 *l.* 6 *s.* 8 *d.*

A new Appropriation of the Funds recommended.

"That even this sum does not afford a sufficient remuneration to induce a scholar of high reputation and attainments to undertake the vacant mastership, or for the labour and responsibility of the situation, and they have therefore taken into consideration the propriety of appropriating the annual payment of 40 *s.*, made to the boys of the grammar school, for the purpose of enabling them to purchase books, and the payment of 5 *l.* to such boys on their leaving the school, towards binding them out apprentices, which payments have been hitherto made out of the revenues arising from Mr. Snow's and Mr. Tyler's Charity. And your committee are of opinion that under present circumstances such appropriation would be beneficial and advisable.

"Your committee are the more readily led to this recommendation, in consequence of their believing that it would be of far more importance to the rising generation that they should be provided with eminent masters, than that they should have an allowance for books; and they also submit that owing to the great diminution which has taken place in the price of printed books, that the parents of such boys as have been admitted free scholars were well able to supply their books without the aid of such funds; and that consequently such funds have rarely if ever been expended according to the original intention of the donor; and with respect to the payment of 5 *l.* towards the binding, your committee are of opinion that these payments should cease, and a certain sum out Tyler's and Snow's Charities be paid to the master of the grammar school."

They also recommend a further remuneration to the master, "That each boy, on his admission to the grammar school, should be required to pay an entrance fee of 6 *l.* to the master, or an annual payment of 2 *l.* That in consideration thereof the number of free boys to be educated should be extended to 50."

They conclude their Report by referring to the high reputation which the school formerly enjoyed, expressing their confident hope that it will again become "an incalculable benefit to the town and neighbourhood."

5. Tyler's Charity.

The Revenue of the Charity, referred to in this Report on Tyler's Charity, is 50 *l.* a year.

Appropriation.

A part of the revenue was formerly applied in obtaining tuition for the grammar school boys in writing and arithmetic, by paying for each boy an additional 30 *s.* a year. This was discontinued in 1810, "it appearing from the statement of the treasurer of Tyler's Charity that the same cannot defray such an expense."

State of the Accounts.

The treasurer, or receiver, is annually elected by the assembly, and from 1815 to 1832 the same individual was re-elected. During the first 11 years of that period no accounts were audited, and since 1830 there has been no further audit. Nothing can exceed the confusion of the accounts of this charity. The present receiver is the senior member of the Council, who is said to be disqualified for his office by habitual intoxication. Such is the character given of him by one of the magistrates, and it appeared to be a matter of notoriety.

6. Snow's and Osmond'sCharities

Snow's Charity, which is referred to in the report of the school committee, is consolidated with Osmond's. The joint revenue is only 10 *l.* a year. Since 1830 the accounts of the two have been blended with those of Tyler's, and the same receiver is appointed for all.

7. Lending Cash Fund.

The Lending Cash Fund, which is entrusted to the Clavigers, was originally formed of various gifts and bequests, applicable in part, or altogether, to the same purpose, and consolidated under this general name.

Of these, the two principal are Crane's Charity, and Sir Thomas White's Charity.

The books of the corporation present no distinct trace of the latter, although the receipts recur every 24 years, and it is not denied that the money has been regularly received.

The receipts on account of the former recur every five years.

Notices of Crane's Charity appear at distant intervals, and they are all of the same character, proving the greatest degree of official negligence, and the total absence of control.

At a Great Court held on the 17th September 1788, the following order was made:

"This court doth also further order, that entries of the future distributions of the revenues of this charity be made in the audit-book, specifying the names of the objects, the sums with which they were respectively relieved, and the names of the persons by whose order they were so relieved."

The audit-book presents no such entries. The last entry was this:

"20th February 1804: Then audited and allowed the accounts of the charges to the present time, whereby it appears there is in cash 42 *l.* 6 *s.* 7 *d.*; in bonds and mortgages 2,186 *l.* 10 *s.*; in the whole, 2,228 *l.* 16 *s.* 7 *d.* lending cash."

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Since 1804 several sums have been received by the corporation, as additions to this fund.

On account of Crane's Charity alone, the following sums are stated to have been due, and there is no reason to suppose that they were not regularly received:

	£.	s.	d.
From Lady-day 1807, to Lady-day 1808	395	10	–
1812 — 1813	395	10	–
1817 — 1818	395	10	–
1822 — 1823	395	10	–
1827 — 1828	439	–	–
1832 — 1833	362	–	9
£.	2,383	–	9

Management and Loss of this Fund.

The finance committee appointed in 1818, ordered, "That a statement be made of the lending cash, and when the repayment of the same is due from the respective persons who are responsible for it."

Again in 1819, the Assembly ordered, "That, in order to ascertain the real state of the lending cash of the corporation, a committee consisting of the present bailiffs, the bailiffs elect, the town clerk and clavigers, be appointed by this assembly, to inspect the bonds in the custody of the clavigers, and to report their proceedings to some future assembly or great court, for further consideration."

Again, on the 27th February 1827, the Assembly ordered, "That the town clerk do prepare a list of the lending cash bonds for the last 20 years, and ascertain where the same are, that they may be deposited with the clavigers, and the monies due thereon be received."

In the same year the Assembly "Agreed, that Frederick Francis Seckamp, Esquire, be the receiver of Crane's Charity, as senior bailiff for the present year, and that entries of the future distributions of the revenues of this charity be made in the treasurer's book, specifying the names of the objects, the sums with which they were respectively relieved, and the names of the persons by whose order they were so relieved."

These orders have all remained without effect. No statement has been made; no entries of the distributions; no specification of names, objects or sums, appear either in the audit book, the treasurer's book, or any other book. There is not even an entry of the money periodically received. The Clavigers, who have the custody of the fund, know nothing about it. The last account they rendered was 30 years ago, when the money and securities amounted to 2,228 *l.* 16 *s.* 7 *d.*; since when the payments to this corporation from the estates of Crane's and White's Charities must have more than doubled that amount; but there is no entry of subsequent receipts, and the previously-existing fund has disappeared.

The only information that could be obtained as to the application of the fund prior to 1828, was from documents found in the possession of two bankrupt members of the Council.

The solicitor to the assignees of one of these bankrupts produced 101 bonds, for sums of 20 *l.* and 25 *l.* each, which had been advanced at different times as loans to the freemen, out of this fund. With the exception of nine, all the bonds had run out, but no steps to recover the money have been taken by the corporation, nor did their officers appear to be aware that such bonds were in existence.

The other bankrupt member, Mr. Jackaman, had received the following sums on account of Crane's Charity, without rendering any account:

	£.	s.	d.
1813	355	16	10
1818	329	9	7
1823	241	14	7

In the settlement of his affairs under the commission of bankruptcy no notice whatever was taken of the two first sums. Of the receipts between 1804 and 1813 no trace remains.

Since 1823 two additional remittances have been made by the corporation of Wisbech, on account of the same charity. The remittance in 1828 was 401 *l.* 16 *s.* 5 *d.*, and the following division was made among the trustees:

	£.	s.	d.
Recorder	53	8	6
Bailiffs	106	17	–
Portmen	213	14	–
£.	373	19	6

The remainder, after a small deduction for postages, was paid to the Town Clerk, as the amount of his bill.

Of the 373 *l.* 19 *s.* 6 *d.* divided among these officers of the corporation for distribution, in conformity with the trust, the following account is given:

	£.	s.	d.
Sums distributed at various times since 1828, by one of the Bailiffs and three of the Portmen	178	18	–
Balance in their hands	34	16	–
£.	213	14	–

The rest is unaccounted for.

In

In 1833 a further sum of 351 *l.* 15 *s.* was remitted, and divided in the same proportions, among the same corporate officers. The present treasurer of the corporation received as bailiff 50 *l.* 5 *s.*, and he has distributed 20 *l.* 10 *s.* among the objects of the charity. This is the only distribution of which any account was given.

Many other gifts and bequests originally formed a part of the lending cash fund. The names of various donors, and the sums they entrusted for this purpose to the corporation, are preserved in the following list:

		£.
1579	Bloise	20
1583	Tye	25
1595	Goodwin	40
1608	Bloise	40
1616	Birdell	20
	Barrett	20
	W. Acton	80
	J. Acton	20
1634	Cock	25
1635	Hunt	100
1651	Redwick	100
1656	Thrower	100
1664	Burroughs	100
1665	Sorrel	100

This money has all disappeared.

8. Allen's, Scrivener's, Burrough's and Martin's Consolidated Charities.

The Consolidated Revenues of Allen's, Scrivener's, Burrough's and Martin's Charities amount to about 150 *l.* a year.

	£.	*s.*	*d.*
The receipts were in 1830–1	137	10	—
1831–2	148	3	10

Management and Occupation of the Property.

The greater part of the income is derived from a farm. It is occupied by a Freeman, who has been allowed to commit waste without interruption.

The distribution of the funds is a privilege of the bailiffs. On St. Thomas's Day coats and gowns, shirts and shifts, are given to 130 or 140 poor men and women in the town; and on Good Friday from 200 to 300 poor persons receive 3 *s.* 6 *d.* each in St. Lawrence's Church.

Accounts.

The receiver is the junior bailiff, who gives no security, but accounts to the Assembly. Since 1831–2 no account has been settled; the balance was then 61 *l.* 9 *s.* 6 *d.*

9. Cutler's Charity.

The sum received last year on account of Cutler's Charity is said to have been 6 *l.*, which was distributed among three poor persons.

Accounts.

The junior bailiff is the receiver, who should account to the Assembly; but he neither renders nor keeps an account.

Protest against the Mal-administration of these Charities by a Member of the Council, and Petition to the Lord Chancellor.

In 1811 a Protest was entered by Mr. Bacon against the Mal-administration of these charities; and this was followed by a Petition to the Lord Chancellor, complaining of the lavish expenditure of the funds.

The petition was sent back for the insertion of certain entries from the corporation books; but the books were in the possession of a member of the Assembly, and could not be procured. The town clerk (Mr. Jackaman) remonstrated with the petitioner, urging that, if he persevered, the charity funds would be taken out of the hands of the corporation. Under these circumstances, and finding that his interference gave offence to many of his colleagues in the Council, Mr. Bacon let the matter drop, and from that time to the present the same wanton expenditure, and the same waste of the property, has been going on.

VIII. STATE of the TOWN.

The State and prospects of this Town may be collected in some measure from the following statistical facts.

Population.

1. Progress of Population:

Year.	Total.	Increase.
1801	10,402	—
1811	13,670	3,268.
1821	17,186	3,516.
1831	20,600	3,414.

The number of males in 1831 was 9,169.

In the Parliamentary Returns of 1831, which state the population of the borough to be 20,201, a part of one of the hamlets is not included.

Occupations.

2. Occupations of the Inhabitants:

Families:	Agricultural	274
	Trading, manufacturing, &c.	2,490
	Not comprised in these classes	1,686

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3. Annual value of Real Property:—In 1815 it was 40,920*l.*; it is now calculated to be about 80,000*l.*

Houses.

4. Number of Houses and Assessments:

Number assessed at 10*l.* and under 20*l.* rent - -	412
— at 20*l.* and under 40*l.* - - -	163
— at 40*l.* and upwards - - -	17
Total of 10*l.* and upwards - - -	592

The number rented at 10*l.* and upwards is supposed to be 1,800.

5. Parochial Assessments:

1825 - - - - - - -	£.	11,618	3 –
1829 - - - - - - -		13,220	8 –

6. Paving Rate:

1831 - - - - - - -	£.	1,249	4 2½
1832 - - - - - - -		1,253	– 11¼
1833 - - - - - - -		1,259	10 11¼

Local Taxation.

7. Assessed Taxes:

1829 - - - - - - -	£.	5,162	1 –
1830 - - - - - - -		5,120	10 10
1831 - - - - - - -		5,024	16 8
1832 - - - - - - -		4,924	7 8
1833 - - - - - - -		5,125	17 1

8. Port Dues.—(*See* PORT RETURN annexed.)

Trade.

9. Trade and Shipping of the Port.

The receipts of Customs during the last 22 years have been as follows:

YEARS.	AMOUNT.			YEARS.	AMOUNT.		
	£.	s.	d.		£.	s.	d.
1812 - - -	24,860	17	3	1823 - - -	22,654	8	–
1813 - - -	24,364	13	4	1824 - - -	23,802	19	3
1814 - - -	31,078	5	3	1825 - -	41,722	17	1½
1815 - - -	17,944	10	1	1826 - - -	42,248	14	3
1816 - - -	20,654	10	4	1827 - - -	42,748	–	9½
1817 - - -	24,723	4	4	1828 - - -	47,922	11	9¾
1818 - - -	31,075	4	11	1829 - - -	43,879	–	6
1819 - - -	27,647	4	6½	1830 - - -	44,455	17	7
1820 - - -	21,901	2	10	1831 - - -	32,205	15	8½
1821 - - -	20,317	10	–	1832 - - -	31,349	12	8
1822 - - -	17,413	10	9	1833 - - -	32,323	1	10

YEARS.	FOREIGN TRADE.								COAST AND IRISH.				VESSELS belonging to the PORT.	
	INWARDS.				OUTWARDS.				INWARDS.		OUTWARDS.			
	BRITISH.		FOREIGN.		BRITISH.		FOREIGN.							
	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.
1812	–	–	–	–	–	–	–	–	–	–	–	–	–	–
1813	No official entries.			–	–	–	–	–	–	–	–	–	–	–
1814	–	–	–	–	–	–	–	–	–	–	–	–	–	–
1815	8	1,029	10	742	2	267	10	742	*N.B.*—There are no official records extant which show the number of coasters employed at this Port prior to the year 1823.				125	6,772
1816	9	881	7	674	2	268	7	674					128	6,857
1817	12	1,115	20	1,707	9	880	19	1,514					137	7,398
1818	16	1,767	33	2,179	13	1,172	23	1,788					116	6,075
1819	13	1,901	26	1,999	6	657	10	1,441					120	6,665
1820	6	691	13	561	2	180	3	422	–	–	–	–	121	6,820
1821	12	1,300	5	586	2	345	3	440	–	–	–	–	113	6,558
1822	8	938	7	450	–	–	–	–	–	–	–	–	115	6,656
1823	13	1,331	6	560	9	710	–	–	620	54,859	622	36,633	No record of the number of vessels belonging to the Port from 1822 to 1826, inclusive.	
1824	23	1,799	7	927	12	841	6	707	622	53,072	655	40,258		
1825	32	2,999	15	1,500	11	839	15	1,500	602	49,726	563	28,938		
1826	26	2,712	9	1,125	19	1,565	5	605	688	58,382	599	31,715		
1827	39	2,165	16	1,900	5	934	15	1,816	705	54,911	613	37,769		
1828	51	3,891	12	1,451	34	1,078	10	1,334	777	61,258	583	35,939	127	8,538
1829	43	3,493	6	747	52	3,794	5	619	749	60,957	491	31,075	136	8,530
1830	31	2,869	20	1,767	41	3,252	13	1,282	719	54,245	556	36,866	140	8,117
1831	41	4,071	16	1,817	34	2,798	16	1,863	811	67,721	500	32,556	142	9,960
1832	31	3,327	12	1,208	36	3,773	8	891	831	69,036	560	36,894	147	10,371
1833	22	2,222	16	1,770	31	3,085	11	1,327	842	70,449	650	41,799	146	10,422

10. Local Acts: Local Acts.

1. An Act for the Paving of the Town of Ipswich.—Rastell's Statutes, 13 Eliz.

2. An Act for Paving, Lighting, Cleansing and otherwise improving the Town of Ipswich, in the County of Suffolk; and for removing and preventing Encroachments, Obstructions, and Annoyances therein.—33 Geo. 3, 1793.

3. An Act for amending and rendering more effectual an Act passed in the 33d year of the reign of His present Majesty, for Paving, Lighting, Cleansing and otherwise improving the Town of Ipswich, in the County of Suffolk; and for removing and preventing Encroachments, Obstructions and Annoyances therein.—37 Geo. 3, 1797.

4. An Act for improving and rendering more commodious the Port of Ipswich, in the County of Suffolk.—45 Geo. 3, 1805.

5. An Act for the more easy and speedy Recovery of Small Debts in the Town and Borough of Ipswich, in the County of Suffolk.—47 Geo. 3, 1807.

6. An Act for amending and enlarging the Powers of two Acts of His present Majesty for Paving, Lighting, Cleansing and improving the Town of Ipswich, in the County of Suffolk; and removing and preventing Encroachments, Obstructions and Annoyances therein, and for Watching the said Town.—55 Geo. 3, 1814–15.

7. An Act for Lighting with Gas the Town and Borough of Ipswich, in the County of Suffolk.—2 Geo. 4, 1821.

8. An Act to alter and amend several Acts of his late Majesty's reign for Paving, Lighting and otherwise improving the Town of Ipswich, in the County of Suffolk.—2 Geo. 4, 1821.

IX. SUMMARY and OBSERVATIONS.

The Constitution of this borough appears to have been originally based on popular principles. The powers of local government and taxation, and the election as well of the chief magistrates as of other municipal functionaries, were in the hands of the Burgesses at large, nor was the qualification for municipal office less extensive than the electoral rights. And as no one could carry on trade in the town without admission to its freedom, the corporate body included the great majority of the middle classes of the community.

The Franchise was then co-extensive with local Taxation. Every Burgess on taking up his freedom, swore, that he would be "*lottant and scottant, as a burgess ought to be, to all manner of charge that belongeth to the said town, liberties and franchises of the same, as often as any such charge shall happen;*" and at their annual meetings on the charter day the freemen voted taxes for local purposes, which they assessed on themselves in their own Great Court. No one was admitted to share the municipal rights of the borough, without sharing its municipal charges; and it was upon this principle that foreigners and aliens were prohibited

IPSWICH.

hibited by one of the charters from carrying on trade in the town, because they were not "*contributors with the burgesses and freemen of the same liberty for the time being, to all things that are to be paid for that town, and the common utility thereof.*"

This charter, which is no longer enforced, and the oath now administered to paupers, point out the change that time has made in the distribution of the franchise.

The Burgesses retain their local privileges without being either contributors to all "things that are to be paid for that town; or lottant and scottant to any manner of charge that belongeth to the said town:" and so little are the Trading classes identified with the existing corporation, that out of 837 merchants, manufacturers and master tradesmen in the town, only 87 are admitted to the freedom. The same exclusion extends in the same degree to other classes of the Community.

Of the 1,130 Freemen, constituting the present Corporate Body, only 349 are registered as voters for the Borough. Of these 349 residents only 230 are rated to the poor; and of those who are rated to the poor only 111 are taxed for municipal purposes. Many are excused the payment of their rates on the ground of poverty, and their taxes are in many cases paid by the landlord. Among those who are neither rated nor taxed, about one-fourth are paupers.

From a comparison of the aggregate assessments on the freemen with the assessments on the other inhabitants, it appears, that the former are rated for one-twelfth of the Property in the borough, and that the remaining eleven-twelfths belong to those who are excluded from the corporation.

Of the Taxes raised for local purposes, more than fifteen-sixteenths are contributed by those who are excluded from the corporation.

Of the assessed taxes raised in the borough, one-twentieth only are contributed by the burgesses, and the remaining nineteen-twentieths by those who are excluded from the corporation.

Of the land-tax, six-sevenths are paid by those who are excluded from the corporation.

The present Parliamentary Constituency includes 846 registered Householders, possessing the requisite qualification of property, but excluded from the corporation. Of the 349 registered Freemen, only 138 would be qualified to vote in right of their property.

The classes, therefore, which are now excluded from the municipal rights of the borough comprise the most numerous and wealthy portion of its inhabitants; while of the privileged class nearly two-thirds have no local interest in common with the inhabitants, and the majority of the remaining third contribute nothing either to the service of the State, or in aid of local taxation.

Such is the altered relation between the Corporate Body and the Community, and the working of the constitution has undergone a corresponding change.

Those members of the community who are best qualified by their education and station in society to promote the interests of the town, have no voice in the management of its affairs; while a body of freemen, whose condition in life exposes them to the influence of corruption, and disqualifies them for the performance of official duties, are not only entrusted with the election of magistrates, but are themselves exclusively eligible for the municipal offices of the borough, as well those of a deliberative assembly, as those of a judicial and executive nature.

Advantage has been taken of their condition to add demoralization to poverty and ignorance. They have been cajoled, bribed, and in many instances forcibly deprived of their votes and personal liberty at the same time. Used as the degraded instruments of party warfare, they have been the objects of all sorts of stratagems and violence before and during the elections, and every power and trust committed to them collectively has been employed to corrupt them individually.

Under the influence of this corruption, which is sanctioned and encouraged by the municipal authorities, the Governing Body of the borough has been governed by a junto in the deliberative assembly, which is itself subject to the dictation of a political club.

In the composition and conduct of the Assembly appears the further working of the constitution. Two self-elected bodies are joined with the chief magistrates, who in practice are chosen from the one or the other; and each of these bodies has a distinct and exclusive party character. The blues are excluded from the one, and the yellows from the other. Rather than fill up their vacancies from the Council, the Portmen have preferred their own gradual extinction and that of the whole corporation; and without having recourse to the council, they could not find in the whole corporate body persons qualified for the duties of their office.

There exists, indeed, a constitutional power to elect honorary freemen, and this was once resorted to for the purpose of conferring a qualification for office; but the mutual suspicions of the two parties suggested an illegal mode of admission, and the new freemen were consequently disfranchised.

While these self-elected bodies have usurped on many occasions the controlling powers of local government vested in the burgesses at large, and have so far rendered themselves responsible for the acts of the corporation, their own constitutional functions have been suspended, and their proceedings overruled, by the external influence of the Wellington Club.

Presided over by a tailor, attended by members of the Council, and occasionally by the Chief Magistrates of the town, who appear there to render an account of their official conduct, this club has become the only efficient deliberative body in the borough; and its

approbation

approbation and support are necessary to secure the success of any candidate for office, or of any measure proposed for adoption. If a resolution passed by the Assembly is disapproved by the club, the same individuals who voted for it in the asssembly vote against ts adoption in the Great Court; and where a bailiff has attempted to reform abuses in the corporation, he has been thwarted by the club, and has lost the support of the freemen.

It is among the members of the council, who are enrolled as members of this club, that the local functionaries have usually been chosen; and opposition to measures of local utility, in the pursuit of party triumphs or personal advantages, appears to have been the strongest recommendation to office.

Chief magistrates have been elected, who were neither fitted by their education nor by their station in society for the offices they have filled. Their judicial authority has been acquired by violations of the law, which they are appointed to administer; and their official salary forms part of the fund appropriated to the corruption of those over whom that authority is to be exercised. They are not supported by the respect of the inhabitants, and they are personally exposed to insult from the freemen while they are sitting as magistrates on the bench.

Among those who have been twice chosen for this office within the last few years, is a member of the council, under whose management as renter-warden, a charitable foundation in the town became an offence to female modesty, and a nuisance to the whole neighbourhood.

The connexion between the Chief Magistrates and the Town Clerk, or clerk of the peace, is no less political than official. They are joined as well in the annual contests of the borough as in the administration of justice. The office is canvassed for by the same political party, and obtained by the same means. To this connexion must be referred the courtesy of these magistrates in delaying the borough sessions, at a time when the gaol was unusually full, and the assistant magistrates were remonstrating against the delay. The same party connexion may also explain the latitude of official negligence which has been allowed upon other occasions.

For 30 years this office was filled by two members of the Council. One of the two is now a bankrupt, and the other an insolvent. The bankruptcy of the former disclosed at the same time the large sums he had expended to obtain the office, and the sums he had received in his official character without rendering any account. The present town clerk, who is also a member of the Council, has spent more than the annual emoluments of his office upon one of the annual elections.

The duties of the Clavigers, who are entrusted with the records of the town and with the custody of a charity fund, are important without being profitable. For this office there has been no contest, and its duties have been wholly neglected. The neglect is described by one of these four functionaries, who are all members of the Council, as "a degree of carelessness about the keys." It is a degree of carelessness which has led to the recent disappearance of two of the four principal charters, and the loss of the fund committed to their custody.

The Charity Commissioners complained of the state in which they found the muniments of the corporation; and "at present," they observe, "the affairs of that charity seem involved in some confusion." A case of insolvency has subsequently brought to light 101 securities belonging to the charity, which were found in the possession of a corporate officer, and which had been totally overlooked. It is now 30 years since any official entry has been made either of the receipts or disbursements. In the meantime a fund, exceeding at that time 2,200*l.*, and more than doubled by subsequent remittances, has totally disappeared, leaving no trace either in the records of the corporation, or in the memories of its members.

The office of Treasurer, like that of claviger and town clerk, is held by members of the Council. The treasurers of the two last years have not yet rendered any account, and the present treasurer does not profess to know the state of the corporation finances, its assets, or liabilities. He referred to the bailiffs, under whose authority all payments exceeding a certain amount must be paid. The bailiffs were his immediate predecessors in the office of treasurer; but neither the one nor the other was better informed than himself, nor could they state even the amount of the permanent debt. One of the two had, without any authority, paid away by a transfer at his own bank, nearly 1,500*l.* of the money he held as treasurer. This sum had been paid into his bank, he did not know by whom, or for what purpose; and the transfer was made to one of his colleagues of the Council, under the direction of another, who is a partner in the same bank. In the account he had prepared of his receipts and payments, this sum was altogether omitted. He observed, that it might be added. His partner, who had taken upon himself the application of the money, excused the assumption of authority by the systematic irregularity of corporation payments.

On recommending a loan of 10,000*l.*, the Assembly recommended at the same time the appointment of an Accountant, "to keep a regular account of all receipts and disbursements of the Corporation and the Charities." An accountant was accordingly appointed, and a clerk in the same bank was selected for the office. He has received his salary with great regularity since 1830, and in return for this salary, he has classified the general accounts of the years 1827 and 1828. No subsequent accounts have been arranged, because he was unable to procure the necessary documents from the treasurer. All the charity accounts remain in the same state of confusion in which they were left by the Charity Commissioners, nor was the accountant aware that it was a part of his duty to arrange them.

The individual who is supposed to be more familiar with the finances of the corporation than

IPSWICH.

than the town treasurer or any other member of the council, although he is the junior member of that body, is the treasurer of the Wellington Club.

This is the Official Body to which the local administration of justice, the management of the town property, the exercise of ecclesiastical and hospital patronage, and the control of various charity funds, are committed.

The practical working of the Municipal System may be summed up in bribery, invasions of personal liberty, and the destruction of industrious habits among the freemen; the election of local functionaries, by whom official power is abused and official duty neglected; the administration of justice by magistrates, whose authority, acquired by violations of the law, is unsupported by the respect of the inhabitants, and sometimes treated with contempt even by the freemen; an inefficient police, under the control of those magistrates; mismanagement and waste of the town property; misapplication of revenues obtained at the expense of the comfort and security of the inhabitants; alienations for objects unknown, or for the avowed purpose of thwarting an useful body of local commissioners; hospitals perverted to party purposes; charity funds converted into election funds, and become matters of history.

While the powers and patronage of the Corporation are all exercised in the maintenance of these abuses, the Inhabitants at large, separated and alienated from the privileged class, and subjected to the government of a political club, which overrules the governing body, are not only taxed by those over whom they have no control, but are exposed to domestic privations in order to supply the Municipal authorities with a fund for the corruption of poverty.

The result is a general dissatisfaction with the established constitution of the borough.

It is a Constitution, which still presents the appearance of a popular government, but is in is in reality no such thing. Considered with reference to the Corporate Body only, it is an ill-regulated republic: considered with reference to the local Community, it is an oligarchy of the worst description. It is a government which excludes from municipal rights the most considerable portion of the Inhabitants, whether considered with reference to numbers, property or taxation; and which disqualifies for municipal office the most respectable, intelligent and independent classes of the community. Nor has it even secured the subordinate end of its existence—self-preservation; for in consequence of the party feuds of the two self-elected bodies, which share its official power, the Corporation is now fast approaching to a legal dissolution.

John Buckle.

X. DOCUMENTS.

The following Documents accompany this Report:

1. Translations of the four leading Charters; viz.

   Charter of John.
   Charter of Edw. 4.
   Charter of Hen. 8, A. R. 13.
   Charter of Car. 2.

2. A Schedule of the Corporation Property.

3. A Return of the Gross Receipts and Expenditure of the Corporation during the last 50 years.

4. A Copy of the last Account arranged by the Accountant.

5. A Gaol Return.

6. Observations on the partial operation of the Paving Act.

Port of Ipswich.—A RETURN of all DUTIES, RATES or TOLLS, (other than Dock Dues imposed by Act of Parliament), levied on Shipping or on Goods Imported into or Exported from this Port, together with a Statement of what Class of Persons (if any) are Exempt from the same, and also of the Authority under which they are levied and the Amount thereof during the Years 1830, 1831 and 1832.

Denomination and Description of Duty, Rate, or Toll.	Upon what Class of Shipping, or on what Articles of Import or Export, charged.	Rate of Duty.	Produce of Duty in the Years 1830.	1831.	1832.	By what Body levied.	Under what Authority levied.	How applied.	What Class of Persons (if any) Exempt.
			£. s. d.	£. s. d.	£. s. d.				
Town Dues -	- - coals, coke, and cinders and culm, imported.	- - 2*d.* per chaldron.	243 13 11	156 10 –*	225 18 8	- - the corporation.	- - immemorial usage.	- - the general purposes for which the corporation funds are applicable.	- - freemen of the borough; but if non-freemen own part of a vessel, they pay their proportion.
Paving Duty -	Ditto - - - - - - -	- - 2*s.* per chaldron.	4,338 11 6	3,791 7 6	4,630 – –	- - commissioners for paving and lighting the town.	- - Local Act, 55 Geo. 3.	- - in aid of the rate on the inhabitants for paving and lighting the town.	- - all persons not residing within the limits of the borough.
	Deduct drawback of 2*s.* per chaldron on all the coals sent beyond the bounds of the Borough of Ipswich - - - - - -		3,000 – –	3,000 – –	3,000 – –†				
	Average Net Amount - - - £.		1,338 11 6	791 7 6	1,630 – –				
River Dues -	- - vessels not belonging to the port, viz. British vessels, and such as pay as British vessels, if under 80 tons -	1*d.* per ton	from 1 Sep. 1831‡ to 28 July 1832	53 – 4	34 14 1	River Commiss^rs. from 29 July 1832 to 19 Jan. 1833	- - Local Act, 45 Geo. 3.	- - for the improvement of the river.	- - no persons are exempt, but this duty is not payable on vessels belonging to the port.
	— - - - if 80 tons & upwards	2*d.* per ton							
	Foreign vessels twice the above rates respectively.	- - 2*d.* or 4*d.* per ton, according to the tonnage being under or above 80.							
Pilotage - -	- - vessels pay per foot draft of water:	£. s. d.							
	From Harwich Harbour to Levington Creek, per foot, and *vice versâ* -	– – 9							
	From Levington Creek to Downham Reach, or *vice versâ* - - -	– – 9	954 13 3½	1,003 18 6½	1,036 8 11½	- - by the river commisioners, whose agent divides it weekly amongst the pilots.	- - Local Act of 45 Geo. 3.	- - divided between the 12 pilots weekly.	- - it is optional whether the masters of vessels take in pilots, if they belong to the port, such vessels are therefore charged only half pilotage.
	From Downham Reach to Ipswich, or *vice versâ*, if with one mast -	– 1 3							
	Or if with two masts or more -	– 1 6							
	Foreign vessels twice these rates; so that a one-mast British vessel from Harwich to Ipswich, pays 2*s.* 9*d.* per foot draft of water, and if with two or more masts, 3*s.* per foot. Foreigners, 6*s.* per foot, or 5*s.* 6*d.*, according as with one or more masts.								

* In consequence of the insolvency and death of the collector of these dues, there is a portion of this year's receipt lost, but to what amount cannot be ascertained. As one-eighth is allowed for collecting, the gross average sum may be reckoned probably about 260*l.* or 270 *l.* per annum.

† The average is merely assumed, as no accurate annual amount can be ascertained, demands being made for drawback many years after the goods were brought into the port; but it is considered by the clerk to the Commissioners under the Paving Act, that 6*d.* per chaldron generally, without any drawback, would be a fair equivalent.

‡ Previous to 31 August 1831 certain rates were payable upon goods, but these rates then ceased, and from that time the amount of duty is correctly ascertained; but before then, tonnage was so intermixed, it would be very difficult to obtain the required particulars; the book has, however, been produced at the Custom House, and it may be calculated that the net duty on an average will amount to about 60*l.* per annum.

REPORT

ON

THE CITY OF LINCOLN,

(LINCOLNSHIRE.)

CONTENTS.

	Page
I. Limits, Extent and Population	2345
II. Incorporation and Charters	2345
III. Corporate Body and Constitution	2345
Title	2345
Enumeration of Officers and Freemen	2345
1. Officers composing the Council or Governing Body	2346
Mayor	2346
Aldermen	2346
Sheriffs	2346
Coroners	2347
Chamberlains	2347
Common Councilmen	2347
2. The Council or Governing Body	2347
3. Officers chosen by the Council	2348
Recorder	2348
Steward of the Courts	2349
Town Clerk	2349
Sword and Mace Bearers	2349
Crier	2349
Searcher and Sealer	2349
Butchery keeper	2349
Waits	2349
4. Officers appointed by the Magistrates	2349
Gaol Chaplain	2349
Treasurer of the City	2350
Turnkey	2350
5. Officers appointed by the Sheriffs	2350
Gaoler	2350
Sheriff's Officers	2350
Beadles	2350
6. Other Officers	2350
7. The Freemen	2350
Title to Admission	2350
Birth	2350
Apprenticeship	2350
Purchase	2350
Gift	2350
Privileges	2350
Extent and Distribution of the Franchise	2351
IV. Jurisdiction, Nature and Extent	2352
Magistracy	2352
Courts	2352
1. Sessions, General	2352
Juries	2352
County Rate	2353
Petty	2354
2. Civil, of Record	2354
3. Leet	2355
4. Of Requests	2355
Police	2356
Gaol	2356
Licenses	2356
Poor	2357
Proposed Extension of the Jurisdiction	2357
V. Patronage	2357
Ecclesiastical Grammar School	2357
VI. Property	2357
1. Landed Estates	2357
2. Buildings and Tenements in the City	2358
3. Out Rents and Quit Rents	2358
4. Local Securities	2359
Summary of Income	2359
Charges	2360
1. Fee-farm Rent	2360
2. Debt	2360
3. Charities	2360
Expenditure, Ordinary	2360
Extraordinary	2361
Accounts and Audit	2361
Finance Report	2362
Alienations	2362
VII. Funds and Revenues specifically appropriated	2362
1. Fossdyke Tolls	2362
2. Charity Funds and Revenues	2364
VIII. State of the City	2367
Population	2367
Occupation	2367
Houses	2367
Property	2367
Local Taxation	2367
Local Acts	2367
IX. Summary and Observations	2367
X. Documents	2369

CITY OF LINCOLN.

I.

LIMITS, Extent and Population.

THE Municipal Limits of Lincoln coincide with those of the county of the city, and include the whole of the city itself, together with the four extensive parishes of Branstone, Waddington, Canwick and Bracebridge.

The bail and close lie within the external boundary, but are not within the corporate jurisdiction. They have been added to the new Parliamentary Borough.

The area included within the city is 3,650 statute acres: the area within the municipal limits is 17,560 statute acres.

The population, according to the last census, was 11,843; and the number of males was 5,644.

II.

INCORPORATION and CHARTERS.

The Privileges of this city are prescriptive, and the city itself was, in very ancient times, held of the Crown by the citizens, at a fee-farm rent of 80*l.* a year.

Its first Charter appears to have been conferred by Hen. II., and in the same reign five others were granted. The dates of all are omitted.

The following is the series of Charters known to the present Municipal Authorities:—

Six several Charters of	Hen. II., dates omitted.		
Charter of	Ric. I., dated	23 Apr.	A.R. 5
„	John	„	„ 1.
Three Charters of	Hen. III.	20 Apr.	„ 11.
„ „	„	7 Mar.	„ 46.
„ „	and	12 Feb.	„ 56.
Charter of	Edw. I.	15 June	„ 29.
	Edw. II.	„	„ 9.
Two Charters of	Edw. III.	7 Oct.	„ 1.
„ „	and	22 Feb.	„ 4.
„	Rich. II.	16 Mar.	„ 1.
„	Hen. IV.	24 Nov.	„ 11.
„	Hen. V.	15 Dec.	„ 2.
„	Hen. VI.	4 Jan.	„ „
„	Edw. IV.	15 Feb.	„ 5.
Letters Patent of	Edw. IV.	29 Aug.	„ 3.
Two Charters of	Rich. III.	31 Nov.	„ 2.
„ „	and	18 Dec.	„ 2.
Charter of	Hen. VII.	8 July	„ 14.
„	Hen. VIII.	4 Oct.	„ 7.
Letters Patent of	Hen. VIII.	28 May	„ 1.
„	Hen. VIII.	11 Dec.	„ 38.
„	Elizabeth	13 Dec.	„ 39.
Charter of	Car. I.	18 Dec.	„ 4.
„	Car. II.	17 Dec.	„ „
Letters Patent of	Will. III.	22 July	„ 2.

The Charter of Charles First is the present governing Charter.

III.

CORPORATE BODY and CONSTITUTION.

The persons incorporated by this Charter are, the Citizens and Inhabitants of the City.

The Title of the Corporation is, the Mayor, Sheriffs, Citizens and Commonalty of the City of Lincoln.

The Officers named in the Charter are these:

Enumeration of Officers and Freemen.

The Council.

- A Mayor,
- Thirteen Aldermen including the Mayor),
- Two Sheriffs,
- Four Coroners,
- Four Chamberlains,
- Twenty-six Common Councilmen.

- A Recorder,
- Steward,
- Town Clerk,
- Sword Bearer,
- Mace Bearer,
- A Crier,
- Four Serjeants of the Key or Bailiffs,
- An indefinite number of Constables.

The officers not named in the charter are these:—

- A Deputy Recorder,
- Vice Steward,
- Gaol Chaplain,
- Treasurer of the City and County thereof,
- Turnkey,
- Gaoler.
- Four Sheriffs' Officers,
- Two Beadles,
- Searcher and Sealer,
- Butchery Keeper,
- Waits,

LINCOLN.

The number of Freemen is supposed to be about 1,200. The number registered as residing within the city is 507.

1. Officers composing the Council or Governing Body.

The Officers composing the Council, which is the ruling body of the Corporation, are the Mayor, Aldermen, Sheriffs, Coroners, Chamberlains and Common Councilmen.

Mayor.

The Mayor is annually elected upon the Feast of the Exaltation of the Holy Cross, and he enters upon his office at noontide of the Feast of Saint Michael the Archangel.

He is elected by the common council.

Aldermen only are eligible to the office, and the order to be observed in selecting them is fixed by the charter. "He who is eldest in degree and order amongst the aldermen, and hath not undergone the office of Mayor, shall be chosen, if he will take upon him that office of Mayor; and in case of refusal, he which shall be next senior alderman in degree and order as aforesaid, shall be chosen into the office of mayor of the said city, if he will take it upon him: and in case all the aldermen of the said city for the time being, who have not served the office of Mayor, shall refuse to take upon themselves that office, or if it shall so happen that no such aldermen be surviving which have not before undergone the said office, he which is eldest in degree and order of the aldermen, and has but once undergone that office, shall be chosen to be mayor of the city aforesaid, if he will take upon that office: and so successively in degree and order, until any alderman of the city shall be chosen mayor of the same, who hath before undergone that office twice or more times: to have and hold that office from noontide of the Feast of Saint Michael the Archangel then next to come, for one whole year then next following, unless in the meantime he shall be lawfully removed."

In case of death or removal, the Alderman next in order is elected in the same way.

The Mayor is President of the Council, which he may call together by public summons as often as he thinks necessary. As chief Magistrate of the city, he presides at the Sessions, assisted by the recorder or his deputy.

He is the treasurer of the corporation, and in that character accountable to the council.

He appoints one of the sheriffs, and the four chamberlains, who are exclusively qualified to serve the office of sheriff, and to become members of the council.

The aldermen, recorder, and all the officers and ministers of the city, are sworn before him; and in his absence the oath is administered by the aldermen, or any four of them present at the election.

These are the only separate functions incident to his office. Those which he exercises jointly with others, will appear under the head of council.

His salary is 150*l.* a year, besides some small official perquisites, which are estimated at 6*l.* 10*s.*

The present mayor is a resident surgeon. With one exception, the aldermen have been elected in rotation to the office. The exception was Alderman Sewell, who was first passed over in 1822, having previously proved a defaulter to the corporation and charity funds.

In 1831, he was again passed over, as an uncertificated bankrupt. The corporation petitioned against his certificate, on the ground that he had "improperly misapplied the monies belonging to the corporation and charities." A case was laid before the present Chief Justice of the Common Pleas, then at the bar, who gave his opinion that the alderman was not removeable from office, and that they were bound to elect him as mayor.

Aldermen.

The Aldermen are elected from "the better citizens, being of the common council of the city." They must consequently be freemen who have served the office of sheriff and chamberlain.—[*See* Common Council.]

They are elected for life, and the election is by ballot.

When a vacancy occurs, the mayor and aldermen prepare a calendar, or list of three eligible persons, and the common councilmen elect one of the three. The calendar is fairly made, and the choice of the council is not controlled by any evasive practices.

After serving the office of mayor, they become magistrates of the city. They have no other functions, except as members of the council.

Difficulties are experienced in finding eligible persons for the magistracy. There is no exclusion on the ground of opinions, either religious or political.

The present body of alderman is composed of—

Two professional persons, the one a surgeon, and the other a solicitor;
Three merchants, one of whom is a spirit merchant;
Three tradesmen; and
Four other individuals exercising no apparent trade or profession.

They have all served the office of mayor, and are consequently all magistrates.

Sheriffs.

The Sheriffs are annually elected on the same day as the mayor, in the manner prescribed by the charter, which is as follows:

"The first sheriff shall be nominated and appointed by the mayor that day elected; such nominated sheriff having served the office of chamberlain, and not the office of alderman of the said city. And the other sheriff shall be nominated and elected at the same time, in manner and form following:—The mayor for the time being and the alderman which first have undergone the office of mayor, and shall then be present, shall present five elected citizens, out of the citizens and freemen which before that time have executed the the office of chamberlain, and not the office of alderman (the rest of the common council of the city being present); of which five elected citizens, one shall be elected sheriff, by the mayor, aldermen

aldermen and common council then gathered together, or by the greater part of them; and, with equality of votes, by that part or half of the them, of which the mayor for the time being shall be one. And if it shall happen that the newly elected mayor shall fail in the nomination and election of such aforesaid sheriff, then the election of both the same sheriffs shall be made in manner and form following; that is to say, the mayor for the time being, and the aldermen which first have undergone the office of mayor, or the greater part of them which shall be then present at the election, shall present six elected citizens out of the citizens and freemen, which then before have executed the office of chamberlain, and not the office of alderman (the rest of the common council being then and there present); of which six elected citizens, two of them shall be elected sheriffs of the said city for the year following, by the aforesaid mayor, alderman and common council, then and there gathered together and present. And the said two sheriffs shall be admitted to execute that office at noon of the festival day of Saint Michael the Archangel next after such their aforesaid election, for one whole year then next following, if they shall so long live."

In practice the calendar prepared contains five names.

Besides their constitutional functions as members of the council, they execute and return all writs, empanel the juries, and perform all the ordinary official duties of sheriffs, including those of returning officers.

Their joint salary is 30*l.* a year, in addition to which they are entitled to the amerciaments of leet juries, the fines imposed by the commissioners of the Court of Requests, and the fines for empounding cattle on the city commons.

Coroner.

The Coroners are chosen from those citizens who have served the office of sheriff, and not the office of mayor. When a vacancy occurs, a calendar of three common councilmen is prepared by the aldermen, and from this calendar the council select one.

The office is held for life.

Its duties are confined to the inquests taken within the precincts of the city, and this duty is performed by one of the four. The others are consequently nominal officers, holding a place in the council.

They receive no salary, but a fee of 1*l.* on every inquest.

Chamberlains.

The charter prescribes the mode of electing the Chamberlains:

"The election of the chamberlains of the said city, from time to time, yearly for ever, shall be made by the mayor of the city for the time being, upon Monday next after the feast of Saint Michael the Archangel, of the better sort of the citizens of the city aforesaid, which at that time have not undergone the office of sheriffs of the same city; to continue in that office of chamberlain for one whole year then next following, if they shall so long live, unless, in the mean time, for any default or abuse, they or any of them shall be removed by the mayor of the city for the time being. But if it shall happen at any time hereafter, that any of the aforesaid sheriffs or chamberlains shall die within the year after that they shall be admitted to execute that office, that then, and so often within time convenient, a new election shall be made of others to supply their places and offices being so void, and to execute that office for the residue of that year."

The city is divided into four wards, and one chamberlain is elected for each ward.

They collect in their respective wards the city rental, called the chamberlain's rental, and account to the mayor, as treasurer of the corporation.—[*See* PROPERTY, Out Rents and Quit Rents. They also superintend the Commons.

No salary is attached to this office, which is generally filled by young men, who are personal friends of the mayor, and generally the sons of respectable tradesmen.

There is no exclusion on the ground of political or religious opinions.

Common Councilmen.

The Common Councilmen are chosen for life. The mode of election is also fixed by the charter, and is this:

"The mayor for the time being, and the aldermen which first have undergone the office of mayor, or the greater part of them which shall be then present at such election, and with equality of votes, that part of them of which the mayor shall be one, shall present three selected citizens out of the calendar of the names of the citizens and freemen, which before that time have undergone the office of sheriff or chamberlain, and not the office of aldermen; the rest of the common council being then there present, of which three selected citizens, one of whom shall be chose into the office of common counsellor, by the rest of the common council of the city aforesaid, then and there present and gathered together, or by the greater part of them so being present, and, with equality of voices, of that part or half of them, of which the mayor of the city for the time being shall be one."

The three seniors are invariably placed on the list. The first is generally, but not invariably chosen.

The time fixed for the election is the first feast of Saint Michael after the vacancy occurs. It is the practice, however, not to proceed to an election, till there are two or three vacancies, when the whole number is filled up at once. It never exceeds four.

There are now nine qualified persons: the usual number is from four to six. In the absence of persons fully qualified, an ex-chamberlain would be elected.

2. The Council or Governing Body.

The officers whose elections, qualifications and separate functions have been enumerated, and who compose the Common Council of the city, are collectively entrusted with its municipal government.

Their number may vary within certain limits defined in the charter:

"Forty chief citizens at the least, and not exceeding the number of forty and five in all, and all freemen of the city aforesaid, chosen and constituted, who, together with four chamberlains

LINCOLN.

Gaol Chaplain.

The Gaol Chaplain performs service in the gaol every Sunday.
Office for life, subject to removal by the magistrates.
Salary 25 *l.* a year.

Turnkey.

The Turnkey of the gaol holds his appointment during the pleasure of the magistrates, and his salary is 30 *l.* a year.

5. Officers appointed by the Sheriffs.

The Gaoler and the Sheriff's officers are appointed by the Sheriffs.

Goaler.

The Gaoler is also keeper of the house of correction.
The state of the gaol will be reported under a distinct head.—[*See* Gaol.]
Appointment during the shrievalty, subject to removal by the sheriff.
Salary 80 *l.* a year.

Sheriffs Officers.

The four Sheriffs' Officers perform the ordinary duties of such offices, and are sworn as constables.
Salary 10 *l.* a year each.
Qualification—the franchise.
Appointment for life, subject to removal by the Sheriffs.

6. Other Officers.

The Beadles are appointed by the mayor. They are the public servants of the corporation, and are sworn as constables.
Qualification. The franchise.
Appointment for life, subject to removal by the mayor.
Salary of the one 16 *l.* 10 *s.* 4 *d.* a year.
Salary of the other 15 *l.* a year.
The Serjeants of the Key, or Bailiffs, named as officers in the charter, are no longer appointed.
The Constables are sworn at the leet.—[*See* Court Leet.]

7. The Freemen.

Titles to admission.

The Freedom of the city is acquired by birth, apprenticeship, purchase and gift.
All the sons of freemen born after their father's admission, are entitled to the freedom at the age of 21. They are admitted on producing a register of birth, proving their age, and taking the burgess oath.
The fee on admission is 12 *s.* 6 *d.*, in addition to the stamp. This is distributed among the corporate officers, viz—

	s.	*d.*
To town clerk - - - - - - - -	10	–
To inferior officers - - - - - -	2	6

The number admitted by birth during the last year was 30.
Apprentices are entitled to admission after seven years' service to a resident freeman. The indenture must be enrolled by the corporation, at the commencement of the apprenticeship, and a *bonâ fide* service must be proved.
In some cases, when the master has died during the term, or become insolvent, or relinquished his business, a completion of the service to a non-resident, and even to a person not free, has been allowed.
The fee is the same as that paid on admission by birth.
Last year 12 apprentices were admitted.
The freedom has never been refused to any one wishing to purchase it. The price has varied at different times, and is entirely at the discretion of the council. The minimum has been 50 *l.*, but of this sum the corporation used to return 20 *l.* The maximum has been 100 *l.*; the candidates for the city formerly paid 200 *l.* They now pay 50 *l.*
Admissions by purchase have never exceeded five in a year, and since the Reform Act, only one has taken place, that of Mr. Bulwer, one of the present Members for the city.
Honorary freemen are occasionally created by the council, but the instances are rare. The present town clerk has already been mentioned as one. Another is the Duke of St. Alban's, a great patron of the races, and who is said to be munificent in his charitable donations. A third instance is Mr. Hilton, R.A., who is a native of the city.

Privileges.

The freemen have no share in the management of local affairs, nor have they any control over the governing body.
The rights and privileges attached to the franchise are the following:
1. A right to vote for Members of Parliament, subject to the restrictions of the Reform Act.
The number now registered is 603, which is about one-half of the corporate body.
2. Exclusive eligibility for the municipal officers of the city.
3. An exclusive right to stock the common of the city.
4. An exclusive right to hold leases of the city property.
5. An exclusive right to share the benefit of certain charity funds under the control of the corporation.
There is an ancient proclamation of the city, called "The Mayor's Cry," which limits the exercise of these privileges to those who are resident, and pay scot and lot. The proclamation runs thus:—
"That every franchiseman, of what degree soever, dwelling in the country, shall take no benefit by his franchise, except he has a dwelling-place, and is couchant and levant within the city, and to pay and bear scot and lot as a franchiseman ought to do."
This limitation is still so far observed, that no freeman is allowed to stock the common, unless he is resident within the city.

The only obligation accompanying these privileges, besides obedience to the municipal authorities, is that of serving the corporate offices.

Present extent and distribution of the Franchise.

The present extension of the franchise, and the relative condition of the freemen, compared with the other inhabitants of the city, in point of numbers, property, and local taxation, may be collected from the following facts.

The city contains a population of 11,843 inhabitants. Of this number only 507 are registered as freeemen; and of these 507, only 318 are rate-payers in the city.

The two wealthiest parishes, judging from the parochial assessments, are St. Swithin's, and St. Martin's.

In St. Swithin's the gross assessment is 5,788*l.* 15*s.* In St. Martin's it is 5,096*l.* 4*s.* The former contains 60 rated freemen, whose aggregate property is assessed at 1,196*l.* 13*s.* The latter contains 44 rated freemen, and their property is assessed at 1,032*l.* 16*s.*

In the parish of St. Nicholas, the valuation of property is 1,785*l.* 5*s.* 11*d.*; and the property of the freemen is 4*l.* 6*s.* 8*d.*

The following table shows the respective valuations throughout the whole City:—

PARISHES.	Gross Assessments.			Assessment on Freemen.		
	£.	s.	d.	£.	s.	d.
St. Benedict's	1,918	10	–	599	10	–
St. Botolph	1,788	4	6	212	–	–
St. John	276	13	–	4	19	–
St. Margaret	854	1	8	225	–	–
St. Mark	1,297	10	–	386	10	–
St. Martin	5,096	4	–	52	–	–
St. Martin				980	16	–
St. Mary-le-Wigford	2,168	–	–	521	–	–
St. Michael	1,072	5	–	126	15	–
St. Mary Magdalane in Bail and Close	661	–	–	117	8	–
St. Nicholas	1,785	5	11	4	6	8
St. Paul	758	6	–	85	10	–
St. Peter at Arches	2,389	–	–	1,073	10	–
St. Peter in Eastgate	908	–	–	75	1	8
St. Peter at Gowts	2,298	5	–	458	–	–
St. Swithin	5,788	15	–	1,196	13	–
Total £.	29,060	–	1	6,118	19	4

In the four Outlying Parishes within the County of the City there are 16 freemen, eight of whom are not rated. The assessments on the other eight are compared with the total in the following statement:

PARISHES.	Gross Assessments.			Assessments or Freemen.		
	£.	s.	d.	£.	s.	d.
Bracebridge	2,407	–	–	515	6	–
Branston	2,962	–	–	146	–	–
Canwick	2,344	–	–	104	–	–
Waddington	1,713	17	6	132	19	–
£.	9,426	17	6	898	5	–

The following is a return of the Assessed Taxes for the city and county of the city, distinguishing the amount paid by the members of the corporate body.

WARDS AND PARISHES.	AMOUNT paid by FREEMEN.			TOTAL.		
	£.	s.	d.	£.	s.	d.
Southward	152	12	3	356	11	–
Westward	206	3	2	366	8	3
Eastward	216	3	2	379	4	6
Northward	97	13	9	213	2	3
Waddington	10	1	–	120	5	3
Branston	–	8	–	116	13	9
Bracebridge	–	–	–	24	8	3
Canwick	58	18	3	116	15	3
£.	741	19	7	1,695	8	6

LINCOLN.

The register of electors, published by the returning officer of the city, does not accurately distinguish the freemen from the householders entitled to vote in right of their property or occupancy, neither does it state the total number of such householders. The numbers registered are these:—

Freemen	resident in Lincoln	507	
	within the prescribed distance	96	
			603
Occupiers			521
			1,124

But some of the freemen are also registered as occupiers, and some of the occupiers are registered twice. The following note is prefixed to the register:

"The barristers appointed to revise the lists, having retained the names of such freemen in the overseer's returns of ten-pound occupiers, and the Act to amend the Representation having prescribed that returning officers shall cause the said lists to be fairly and truly copied into the register of electors, the returning officers for the city of Lincoln conceived they would not have been justified in making any omissions or alterations in the lists delivered to them, but have transcribed such lists into the register as they received them. It is obvious, however, that the aggregate number of electors is less by the number thus inserted more than once, than as indicated by the figures at the end of the register."

In consequence of this confusion in the register, the proportion which the freemen bear to the new constituency cannot be accurately stated.

IV. JURISDICTION.

The criminal Jurisdiction of the city magistracy is exclusive.

Magistracy.

The Magistrates are the mayor, and all those aldermen who have served the office of mayor.

Local Courts.

The Local Courts, which the corporate authorities are exclusively empowered to hold, are the following:

1. A Court of General Quarter Sessions.
2. A Court of Record, called the Foreign Court.
3. A Court Leet.

Besides these a Court of Requests is held under a local Act, by commissioners appointed for the purpose.

1. Sessions.

The criminal court, intituled, "The General Court of Quarter Sessions," has cognizance of all felonies and misdemeanors committed within the precincts of the city; but it is not the practice of the court to try capital offences.

Four magistrates must be present, and either the mayor, or one of the two eldest aldermen, must be one of the four.

It is held quarterly, and the deputy recorder always attends. The late deputy recorder once wished a postponement for his own convenience, but the magistrates objected to the delay.

Juries.

The Juries are summoned by the Sheriffs. The grand jury is exclusively composed of the four chamberlains, and of those who have served the office of chamberlain. This is an ancient custom of the city.

An indictment was lately preferred against the corporation for not repairing a certain road, and the bill was thrown out by their own officers, in their character of jurors. This is said to be a solitary instance; but it is sufficient to show the objectionable character of the custom.

The following are other instances where the interests of the corporation have been concerned.

At the Michaelmas sessions of 1821, a bill preferred by the corporation was thrown out.

At the Midsummer sessions of 1822, the grand jury presented a bridge, for the repairs of which the corporation are liable.

At the summer sessions of last year, a true bill was found against the corporation for not repairing their roads.

The petty jury is taken from those who contribute to the assessed taxes. At every session 48 are empannelled by the sheriff or the under sheriff; and the whole list is gone through, without any party distinctions. About 10 or 12 are taken from the county, and the rest from the city.

These sessions are attended by counsel. The business of the court never extends beyond a day, and is sometimes finished in a few hours.

The

The costs of a prosecution are regulated by a table of fees, approved by the judges in 1818, a copy of which accompanies our Report. In an ordinary case the costs amount to about 7*l.*; at the assizes they amount to about 10*l.*

The extent and character of the criminal business during the years 1830-31-32, are shown in the following Table, which distinguishes the number of commitments for felony and misdemeanor, the number of prisoners convicted, acquitted or discharged; the number transported; and the expenses allowed. Number of Prosecutions.

		Years.	Number of Persons committed for Trial for Felony.	Number convicted.	Number acquitted.	Number discharged for want of Prosecution.	Number against whom no Bill was found.	Number transported.	Expenses allowed.	OBSERVATIONS.
FELONIES.		1830	13	10	3	- -	- -	2	£. s. d. 81 - 6	* One died before trial—verdict, visitation of God; and one admitted evidence for the Crown.
		1831	21	17	2	1	1	2	135 4 6	
		1832	21	15	4	*	- -	5	176 1 4	
MISDEMEANORS.	Not Assaults.	1830	1	1	-	- -	- -	-	2 6 10	
		1831	1	- -	1	- -	- -	-	8 - 2	
		1832	1	1	-	- -	- -	-	3 9 4	
	Assaults.	1830	6	6	-	- -	- -	-	none	--The number stated to be committed includes those bailed.
		1831	11	4	7	- -	- -	-	14 - 2	- - ditto.
		1832	10	9	1	- -	- -	-	none	- - ditto.

The expenses allowed in cases of felony include counsel's fees, allowances to witnesses, and all other charges.

The punishments inflicted on the prisoners convicted, were as follows:

Transportation for seven years - - - - - -	10
Imprisonment and hard labour for 12 months - - - -	4
6 months - - - -	5
3 months - - - -	10
2 months - - - -	6
1 month - - - -	4
14 days - - - -	2
7 days - - - -	2
Solitary confinement for one week, and one private whipping -	1
Private whipping - - - - - - - - -	2
Fine of 40*s.* - - - - - - - - -	5
Fine of 20*s.* - - - - - - - - -	1

In addition to the criminal business, appeals of all kinds are heard at these sessions. The number entered and heard during the same three years have been as follows:— Appeals.

Year	Appeals entered.	Appeals heard.
1830 - - -	3	3
1831 - - -	4	3
1832 - - -	4	4

The costs of an appeal are not allowed by the court, and the clerk of the peace was unable to state the ordinary amount.

A County Rate is imposed by the magistrates at sessions; it does not extend beyond the county of the city. County Rate.

The sum raised in the year 1831–32, was 697*l.* 13*s.* 4*d.*

The amount of expenditure during the last seven years has been 7,441*l.* 10*s.* 9*d.*, or on an average 1,063*l.* a year.

LINCOLN.

The following is an abstract of the receipts and expenditure for the year ending Michaelmas 1832:

Receipts.	£.	s.	d.
Balance of the last account	110	–	9
Of the constables, a rate granted at the Michaelmas sessions 1831	199	6	8
Ditto, Epiphany, 1832	199	6	8
Ditto, Easter	99	13	4
Ditto, Midsummer	199	6	8
Of Richard Mason, Esq., clerk to the justices, conviction money paid by offenders	9	14	6
Balance due to the treasurer	36	5	2
£.	853	13	9

Expenditure.	£.	s.	d.
Gaoler's salary 80*l.*, for contingencies 5*l.*	85	–	–
Charles Woodall, 53 weeks' salary for attending the tread-wheel	26	10	–
The Rev. James Adcock, chaplain, one year's salary, due Midsummer 1832	25	–	–
Maintenance of prisoners	104	4	10
Medicines for ditto	27	13	6
Cloaths and other necessaries for ditto	9	14	11
Soap for ditto	2	17	7
Shaving	3	–	–
Expenses of apprehending felons, and for prosecutions at the sessions and assizes	192	17	10
Conveying 2 transports to Woolwich	16	13	0
Expenses of apprehending, conviction fees, relief to and passing vagrants	59	11	9
Mileage money to discharged prisoners passing through Lincoln	5	2	9
Expenses attending setting assize of bread	30	1	–
For repairs at gaol and sessions house	121	5	6
Coals and chips for ditto	21	10	4
One year's insurance to Michaelmas 1833	5	–	–
Mr. Coroner Bunyan and Mr. Coroner Trotter for inquests	12	15	–
Clerk of assize fees	2	7	–
Clerk of the peace and chief constable, for their trouble under the Population Act	3	3	–
One year's repair of road over Bracebridge bridge	8	6	6
Stationer's and printer's bill, and for advertisements	30	2	1
Sundries	13	3	8
Clerk of the peace's annual bill	37	13	6
Accountant one year's salary as treasurer	10	–	–
£.	853	13	9

The account was audited on the 8th November 1832, by the mayor and three other justices, and an abstract was published in conformity with the Act of Parliament.

One magistrate alone may audit the accounts.

Petty Sessions.

Petty Sessions are held once a week, at which two magistrates always attend, generally three, and frequently more.

2. Civil Courts of Record.

The Civil Jurisdiction of the city appears to have been formerly exercised by two distinct courts, called the Borough Mote Court, and the Court for Foreigners; and the steward of the corporation is called, in the governing charter, "the steward of the Court of Borough Mote and Court for foreigners." These courts afterwards became united, retaining the name of the latter.

They were held immemorially before the sheriffs and steward, and had cognizance of all actions, real, personal and mixed, where the cause of action arose within the county of the city and its liberties.

The practice was confined to 4 attornies, who were elected by the common council.

It is now 50 years since a trial took place; but the powers of the court are still available, and have been occasionally employed for the arrest of debtors, though not for some years.

The cause and the consequences of its neglect are recited in an Act of Parliament passed in the reign of Geo. II. A.R. 24: "Whereas from time immemorial the sheriffs of the city of Lincoln, and county of the same, together with the steward of the courts of the said city, have usually held once in every fortnight a court of record for the trial of all civil actions, commonly called the Foreign Court of the Sheriffs of the County of Lincoln; but the proceedings of the said court have been found to be expensive and dilatory, and by that means many ill-disposed persons who have contracted small debts within the same city and county of the same, and in the Bail of Lincoln (which Bail of Lincoln is in the county of Lincoln), though they are well able, refuse to pay the debts which they have so contracted, presuming

presuming on the discouragements their creditors lie under from the expense they are unavoidably put unto, and the delays they meet with in suing for the same."

A Court Leet is held twice a year before the steward, and at each of the two courts a jury is sworn, which continues in office during the greater part of the interval. 3. Court Leet.

At the Michaelmas Leet the mayor and chamberlains are sworn into office, and constables are appointed. This appointment, however, is nominal, for the constables form no part of the effective police.

Presentments are made by the jury at adjournments of the court.

The Court of Requests was established by the Act already referred to. It was expressly established as a remedy for the evils arising from the expense and delay of the existing local court, and the consequent discouragement thrown upon the creditors of ill-disposed debtors. Its title is, "The Court of Requests for the City of Lincoln and County of the same City, and the Liberties and the Precincts thereof, and the Liberty of Bemon Fee within the said City, and of the Bail of Lincoln." 4. Court of Requests.

The local limits of its jurisdiction are the county of the city, with its liberties, and the liberty of Beman Fee within the city and in the Bail of Lincoln. The Close is excluded.

The commissioners are nominated by the mayor and aldermen, who are required to meet every month, on a day appointed by the mayor for the purpose of nomination.

This nomination is restricted to two of the aldermen, four of the common council, and "six of the gentlemen most substantial and discreet householders, shopkeepers or tradesmen residing and inhabiting within the said city or county of the same, or within the liberty of Bemon Fee, or Bail of Lincoln aforesaid."

The commissioners are appointed for one calendar month from the time of their nomination; and the clerk of the court is required, within two days after each nomination, to make out two lists of the commissioners, one of which is to be fixed either upon the church-door of St. Peter at Arches, or on the most public place within the city; and the other to be delivered to the Steward of the city courts, or his deputy, who is required to give notice to the commissioners of their appointment, and to cause a copy to be placed in some convenient part of the Guildhall.

Three commissioners constitute a court, which, according to the Act, should be held once a week. It is held only once a fortnight.

It is a court of equity and conscience, having cognizance of all debts not exceeding 40*s.*, with the exception of debts for rent, debts arising on other real contracts, and debts concerning testament, matrimony, or any thing belonging to the ecclesiastical court.

Its jurisdiction is exclusive, if the defendant is "inhabiting and resident" within the limits stated; and a plaintiff suing elsewhere, where the defendant may be summoned before the court, is subject to a nonsuit, with double costs, unless the Judge should certify there was a reasonable cause of action for forty shillings or more; or that the freehold or title to the plaintiff's land, or an act of bankruptcy principally came in question.

The process to compel appearance is by summons and plaint; and persons refusing to appear, or refusing to comply with the orders of the court, may be committed either to the gaol or house of correction of the city for 40 days.

An oath may be administered by the commissioners to the parties, as well as to the witnesses.

The limitation of time for actions is three months from the fact committed.

After an order or decree of the commissioners for the payment of money, the clerks of the court may issue a precept, in the nature of a writ of fi. fa. or ca. ad sa. directed to the steward of the court, who is required by the Act to levy the money, as it would be levied by a sheriff, if the writ issued from one of the superior courts in Westminster. The longest imprisonment which the court can impose on defendants is 60 days.

The steward of this court is the steward of the city courts, and the four attornies practising in the latter were originally appointed clerks of the former, as a compensation for the loss they sustained in their office. The deputy steward, one of the present aldermen, and a solicitor, is now clerk of the Court.

Fines imposed by the commissioners are granted to the sheriff as a compensation for the loss of fees in the foreign court.

The court fees are as follows:

	Steward's Fees.		Clerk's Fees.	
	s.	*d.*	*s.*	*d.*
Summons, Issue	-	-	-	3
Service	-	3		
Appearance entering	-	4	-	4
Calling Defendant	-	2	-	2
Hearing	-	4	-	4
Order of Court	-	3	-	3
Entry	-	-	-	4
Attachment for non-appearance	-	10	-	6
Nonsuit	-	4	-	4
Execution	1	-	-	10
Commitments for contempt	1	-		
Search of Entries	-	-	-	2

LINCOLN.

The number of plaints heard in this court is considerable. During the last year there were no less than 460.

Its utility, it is thought, would be much increased if the local limits of its jurisdiction were extended beyond the precincts of the city, so as to include the surrounding villages; which might be done by taking in a circuit of seven miles.

The exclusion of debts for rent is felt to be a great inconvenience; and the vice-steward considers that the machinery of the court is fully adequate for the settlement of all debts not exceeding 20 *l.*

Police.

The old Police was found to be very deficient, and by a recent Act of Parliament (9 Geo. IV. c. 27) which regulates the lighting, watching, and improving of the city, its police was placed under the control of a body of commissioners.

The commissioners are the mayor, aldermen and town clerk, or his deputy; the dean, precentor, chancellor, sub-dean and chapter clerk of the cathedral; and thirty-six householders possessing or occupying property of the value of 30 *l.* a year, who are elected by the several parishes within the city, bail and close.

The ordinary police force, appointed by a majority of the commissioners, consists of 10 watchmen, two superintendents and a surveyor. On extraordinary occasions 10 additional constables are appointed, and at the races 50 men are sworn in by the corporate authorities for the race-course only.

This force is found to be efficient. At the last election a considerable number of special constables were sworn in, and the inhabitants willingly came forward upon the occasion.

The expense of maintaining this police is 1,300 *l.* a year; and this sum is raised by a rate levied on all frontages in the public streets, or within 100 yards of those streets in every direction. An exemption is made in favour of property rated at 6 *l.* a year, and under. The rate levied is 1 *s.* in the pound, which is applied to all the purposes of the Act.

Complaints on the subject of police are made by the magistrates, who have only a partial control over the officers, while the commissioners, they observe, who share the control, do not share the responsibility of maintaining the peace of the city.

Other complaints were made concerning the booths on the race-course, which are allowed to be kept open both on the Sunday before and on the Sunday after the races.

Gaol.

The city Gaol contains seven day-rooms and ten sleeping cells.

Its divisions do not admit of a proper classification of the prisoners. Females are put together, whatever may be the cause of their imprisonment. The separation of males appears to be considered more important.

The following is the number of prisoners confined during the years 1830–1, 1831–2, 1832–3.

YEARS	Debtors.	Felons.	Misdemeanants.	Total.
1830–1 - - -	11	36	53	100
1831–2 - - -	13	17	203	233
1832–3 - - -	18	31	152	201

Some of them work on a tread-wheel. In the opinion of the gaoler the work in not severe, but beneficial to the health of the prisoners.

The allowance for diet is 4 *d.* a day to those who do not work, and 6 *d.* to those employed on the wheel. Out of this allowance the gaoler states that some of the prisoners are enabled to save money.

The religious instruction which they receive from the chaplain is confined in general to divine service on the Sunday. He does not attend at any other time unless specially requested to do so.

In consequence of some alterations which had been going on previously to our visit to the city, the magistrates and sheriffs had been frequently at the gaol; but the gaoler stated that in general the magistrates only came about once in two months. The prisoners, he said, were very seldom improved in character by their confinement in the gaol; that they very often became worse; and that the longer they remained, the worse they became. He imputed this effect to their conversation with each other, and thought that if they could be kept separate, except when at work, and then not allowed to speak to each other, it would tend to improve their characters. Prisoners he said were often re-committed.

Licenses.

The number of public-houses licensed by the local magistrates is not accurately known. It is supposed to be about 62; and of these at least nine belong to members of the corporation, and two to a magistrate. Informations have been laid against some of the houses belonging to these members, and two of the tenants were fined about three years ago.

Two spirit houses belonging to one of the aldermen are licensed by the corporate authorities. One of the two is occupied by himself, and the tenant of the other has been convicted within the last two years of keeping a disorderly house frequented by thieves. He was fined in consequence; but his license was again renewed last year.

The house occupied by the alderman himself has been complained of to the council, as a nuisance to the neighbourhood. This complaint was made by their coroner; but as it was not of a formal character, the council have instituted no inquiry. The nuisance is said to arise from the disorderly conduct of women of bad character, who frequent the premises.

Both

Both the licenses granted to these houses are of modern date, and they were obtained by a deception practised on the magistrates, who were led to suppose that the object was only to retail wine and spirits, instead of which these houses have been turned into drinking shops, the resort of disorderly persons.

The magistrates have remonstrated with the alderman on the use he makes of the licenses obtained with this understanding, and complain that no attention is paid to their remonstrances. But they continue to renew the licenses.

Several members of the corporation concur in recommending that no licensed victualler should be qualified for the magistracy.

Poor.

The Poor are not under the management of the corporation.

Proposed extension of the Jurisdiction.

There appears to be no longer any reason for excluding the Bail and Close from the jurisdiction of the city.

V. PATRONAGE.

The Ecclesiastical Patronage of the corporation is as follows:

Ecclesiastical.

1. The right of presentation to the vicarage of Hanslope, with the perpetual curacy of Castlethorpe annexed.

The present vicar is the Rev. William Singleton, who receives from the corporation an annual stipend of 50*l.*, and a further gratuity of 20*l.* a year.

2. The perpetual curacy of Belton, in the Isle of Axholme, within the county of Lincoln.

The present curate is the Rev. Thomas Skipworth, who receives from the corporation an annual stipend of 150*l.* a year.

3. The perpetual curacy of Hemswell, also in the county of Lincoln.

This appointment is held by the late under-master of the grammar-school, the Rev. R. Thomas, with an annual stipend of 30*l.* a year from the corporation. He has left the city without paying his debts, but the stipend has been remitted to him, and the duty is done by another.

Grammar School.

The only Lay Patronage is the appointment of the under-master of the free grammar-school in the city.

His salary is 50*l.* a year, which is paid by the corporation.

The successor of the Rev. R. Thomas is the Rev. T. Sandon.

This school contains from 30 to 40 boys, who generally leave it when they are 12 years old. The greater part of them are then occupied in trade. Their grammar-school education consists of Greek and Latin, mathematics (if required), writing, geography, arithmetic and merchants' accounts. Whatever their future prospects may be, they must learn Greek and Latin.

This plan of education is unpopular in the city, and a school intended for 100 boys, does not educate half that number.

The visitors are the mayor and senior alderman, jointly with the dean and chapter.

No proposal has been made to render the school more efficient by changing the present system of tuition.

The patronage arising from the administration of Charity funds and revenues, will appear under a subsequent head of the Report.

VI. PROPERTY.

The corporation are lords of the Manor and Soil of the City, and of the Manor of Canwick, in the county of the city.

The Property, from which they derive their revenue, consists of various estates in the counties of Lincoln and Bucks; buildings and tenements in the city, including the market and race-stand; out-rents and quit-rents reserved in right of other buildings and lands; and various local securities.

The ordinary Revenue was estimated by a finance committee, appointed in 1827, at 4,010*l.* 11*s.* 2*d.*

Tenancies.

All the estates are let from year to year, according to the valuation of a surveyor.

The Lands are as follows:

1. Landed Estates.

1. A freehold estate at Hanslope and Castlethorpe, in the county of Bucks, consisting of farm-houses and buildings, with arable, meadow and pasture land, containing about 1,010 acres. This estate was inclosed in 1779; and has been considerably improved since.

It is now occupied by six tenants from year to year, at an annual rent of 950*l.* 18*s.*

2. A freehold estate at Belton, in the county of Lincoln, consisting of a farm-house and buildings; 522 A. of arable, meadow and pasture land; and the tithes of about 4,258 A. 3 R. 34 P of tithable land in Belton.

The rent is 1,050*l.* a year.

3. A freehold estate at Hemswell, in the county of Lincoln, consisting of a farm-house and buildings; and arable, meadow and pasture land, containing 528 A. 1 R. 7 P.

The rent is 476*l.* a year.

4. A freehold estate at Canwick, in the county of the city, consisting of a farm-house and buildings, with 160 acres of arable, meadow and pasture land.

The rent is 300 a year.

5. A freehold close of pasture land, about two acres in extent, occupied from year to year at a rent of 10*l.*

Commons.

Four Commons, called the South Common, the West Common, the Holmes, and the Monks Leys, as well as all waste lands and void places within the city belong to the corporation, in right of the manor and soil.

LINCOLN.

Two of these commons are stocked exclusively by the freemen, the other two by the inhabitant householders and freemen jointly.

The present extent of the waste is inconsiderable. It is dispersed in various strips through the city.

2. Buildings and Tenements the in City.

The Buildings and tenements within the city, from which a revenue is derived, are,

1. The Butchers' Shambles, slaughter-house, and lodges in Lincoln. They were erected in 1774–5, at an expense of 1,154*l.*, and now produce on an average 250*l.* a year.

These shambles are complained of as a nuisance to the city.—[*See* Butchery Keeper].

2. The Sheep Market, with the rent of the pens farmed at 120*l.* a year. The corporation have lately expended 400*l.* on the improvements of this market.

3. The Grand Stand and Race-ground, producing on an average 100*l.* a year. The stand was erected and the course altered in 1826, at a cost of 6,652.

4. A freehold Inn and appurtenances (The City Arms Hotel), let for 100*l.* a year.

5. A freehold building, used as a National School, and let for 10*l.* a year.

6. Another freehold building, used as an Infant School, and let for 5*l.* a year.

7. A building (formerly the Gaol) let for 5*l.* a year.

8. Two freehold lodges at the Great Bar Gate, Lincoln, let for 7*l.* a year.

9. A House, lately purchased by the corporation, and held by lease from the vicars of the cathedral, for 40 years. An agreement has been entered into for the re-sale, but the purchase is not settled. The rent is 30*l.* a year.

Public Buildings.

The Buildings from which no income is derived are—

1. The Guildhall and Keeper's House.

2. The Butter Market and Assembly Rooms above.

The tolls of the market were found so vexatious, that they were abandoned about 10 years ago.

3. The Free Grammar School and rooms beneath, with the Lock-up house adjoining.

4. The corn market.

5. The fire-engine house.

6. Cellars under the High Bridge.

3. Out-rents and Quit-rents.

The Out-rents and Quit-rents are reserved in right of a very extensive and valuable property in the city.

The nature of the interest which the lessees possess in this property is described in the following entry, extracted from the books of the corporation. The date of the entry is 1785.

	£.	s.	d.
"Divers messuages, closes, lands and other hereditaments, the ancient property of the corporation, let upon various leases for terms of years at several small yearly quit-rents, as stated and particularized in the four chamberlain's rentals, amounting together (certain small annual payments for amerciaments &c. being included) to the yearly sum of - - - - - - - - - -	136	12	7
N. B.—Upon the renewal of the above leases at the end of each term, three years quit-rent, and a small sum under the name of a collation, are paid to the corporation by every lessee, who then solicits for a renewal of his term as of course, which is accordingly granted by custom, but not of right; for the corporation might, if they thought proper, refuse renewals at the expiration of each term, in which case the whole would let for several thousand pounds per annum."			
"Certain other yearly quit-rents, reserved and made payable upon the above leases to the mayor elect for the time being, and comprised in a separate rental, called the mayor's rental, amounting in the whole to about the yearly sum of - - - - - -	17	–	–
	£. 153	12	7

The precise extent and value of the property for which these rents are reserved, is unknown to the council and its officers, although every house and tenement is known to some one of its members. During the last 14 years, measures have been adopted to identify and register the whole. A survey of the premises has been made on the renewal of every lease, and a plan is now affixed to the lease itself. The surveyor is guided in the formation of his plan, partly by the imperfect descriptions preserved in the ancient grants, and partly by tradition.

The terms for which the renewals are granted never vary. The longest lease is for 31 years, and the shortest for 21 years. In all cases the legal estate is vested in a freeman.

Origin of these Rents.

The Origin of these rents is referred to the first grant of the manor and soil of the city to the corporate body. King Edward II. granted the wastes and void places within the city itself; and Edward IV., when he established a vice-comital jurisdiction, added the four outlying parishes. Subsequently to these grants, houses which had been forfeited to the Exchequer, for the non-payment of fee-farm rents, and for other causes, were also given to the corporation. The buildings on the waste and the forfeitures to the crown are supposed to be the premises leased.

The payments originally reserved were probably rack-rents. The out-rents were paid in money, and the quit-rents in kind, some of them in sugar.

The

The oldest records of the corporation, temp. Hen. VIII., show a number of similar grants, and they may be traced from that time to the present, with slight variations, in a succession of rentals or parchment rolls, on which the annual accounts of the chamberlains were formerly preserved. The earliest entry in the chamberlain's book, which is now substituted for the Rolls, is in 1785, and the out-rents affixed to the names of the tenants or occupants were then the same as at present.

Instances occur in 1711 were renewals where refused, and in one case an improved rent was exacted. The increase, however, is inconsiderable, and is supposed to be merely a fine for not before bringing in the lease, a custom which still prevails.

Occupation of the Property by Members of the Council.

From a very early period to the present time, the names of Aldermen and other members of the Council appear in the chamberlain's rentals as tenants of this property.

The date of the earliest rental preserved is 1693, and at that time leases were held by most of the aldermen, and by other officers of the corporation, on nearly the same terms.

Thirty years ago the most valuable part of the property was still in the hands of aldermen and other members of the council.

In 1826, one of the aldermen, whose lease had run out, proposed to the council that an equitable fine should in future be imposed on every renewal. The fine he proposed was a year and a half's rent. A division took place on the question, and the votes were equal. The mayor declined to give a casting vote, and no resolution was passed.

On the same day a memorial was presented to the council against any alteration. The memorialists urged that the property had become the subject of various settlements and contracts, and that all these securities would be disturbed by a change in the terms of renewal. This document was signed by several members of the council jointly with others.

The alderman, by whom the proposition was made, had purchased his own lease, and the property in this case consisted of three houses, which he values at from 18 *l.* to 20 *l.* a year, and for which he pays to the corporation an out-rent of 6 *s.* and a quit-rent of 1 *s.* a year.

All the present tenants claim under those persons whose names appear in the entry of 1785, from which an extract was given to show the nature of their interest. Among them are five aldermen, two coroners and eleven common councilmen.

4. Local Securities.

The personal property of the corporation consists of the following Local Securities:

1. Fifty-nine shares of 100 *l.* each in the Witham navigation, producing 236 *l.* a year.
2. Twenty shares of 25 *l.* each in the Lincoln Gas Light and Coke Company, producing 25 *l.* a year.
3. Seven Lincoln Turnpike Bonds for 700 *l.*, producing 28 *l.* a year.
4. Ten shares of 50 *l.* each in the Durham Bridge, producing nothing. They were purchased in 1830 for 500 *l.*

The shares in the Witham navigation were purchased between 1814 and 1819 for 5,900 *l.*

The total number of shares is 1,568, some of which are held by members of the council individually, as well as by the corporation collectively.

Many complaints are made by the inhabitants of the state in which the banks of the river are allowed to remain by the undertakers of the Navigation. Several lives have been lost in consequence. It is supposed that as many as 16 have been lost within the last few years.

An Annuity of 75 *l.* a year is reserved out of the Fossdyke Navigation tolls, which were alienated many years ago. (See FUNDS specifically appropriated.) This annuity forms a part of the general income.

Summary of Income.

The following is a Summary of the Income derived from the several sources enumerated:

	£.	s.	d.
Hanslope and Castlethorpe estate	950	18	–
Belton estate	1,050	–	–
Hemswell estate	476	–	–
Canwick estate	300	–	–
Close in Lincoln	10	–	–
Sheep market	120	–	–
Shambles	250	–	–
Race stand	100	–	–
City Arms Hotel	100	–	–
Schools: National	10	–	–
Infant	5	–	–
Old Gaol	5	–	–
Lodges	7	–	–
House	30	–	–
Out-rents and quit-rents	151	9	1½
Witham navigation shares	236	–	–
Gas-light and Coke Company shares	25	–	–
Turnpike bonds	28	–	–
Annuity from the Fossdyke Navigation Tolls	75	–	–
£.	3,929	7	1½

Charges and Liabilities.

The Charges upon this income are a fee-farm rent, and other small out-rents; the interest on a bond debt; and several perpetual annuities appropriated to charitable purposes.

1. Fee-farm rent.

The Fee-farm Rent originally reserved to the crown has been redeemed, with the exception of a rent payable to the dean and chapter of 18*l.* 0*s.* 8*d.* a year.
This, with other small payments, continues a permanent charge.

2. Bond Debt.

The principal Debt secured by corporation bonds, amounts to 27,650*l.* On 6,000*l.*, 4 per cent. interest is paid. On the remainder the interest is 4½ per cent.
The annual charge therefore on this account is 1,214*l.* 5*s.*

3. Charities.

The debt due to the funds of various Charities is 3,802*l.* 10*s.*, and the interest paid is 182*l.* 2*s.* 6*d.* For these no security has been given.

The Total annual charge therefore is 1,396*l.* 7*s.* 6*d.*

Expenditure, ordinary.

The Ordinary Expenditure, after payment of the annual charges specified, will be seen in the following analysis of the treasurer's disbursements during the last three years.

DISBURSEMENTS.	1829–30. £. s. d.	1830–31. £. s. d.	1831–32. £. s. d.
Entertainments	248 7 5	191 2 1	37 10 2
Stipends, salaries and allowances to mayor, sheriffs, corporation officers, incumbents, schoolmasters, &c.	823 11 4	844 19 1	789 – 4
Officers' clothes	85 17 10	53 9 –	100 3 –
Fuel, and cleaning Guildhall and other public buildings	23 11 5	29 8 7	38 14 3
Printing, stationary, gazettes, &c.	78 17 5	68 14 6	92 9 9
Stamps for bonds, &c.	17 – 8	4 4 4	4 1 6
Repairs and alterations of corporation estates, bridges, roads, common pastures, water-pipes and conduits	961 11 8	1,025 1 2	1,039 – –
Rates, taxes, out-rents, insurance	142 15 5	145 16 1	136 16 9
Fee-farm and other rents	69 – 8	69 – 8	52 7 4
Lighting and police	5 14 –	18 14 –	76 3 6
City race plate, and expenses of the course	153 5 –	139 5 1	118 9 5
Subscriptions, viz.:			
Singers at the corporation church	4 4 –	—	—
Witham, fencing by order of a common council	100 – –	—	—
To the County Hospital	20 – –	20 – –	—
Towards paving the road between the Guildhall and the High Bridge with Mount Sonal stones	– – –	40 – –	—
Towards repairing the tower of St. Peter at Arches church	– – –	50 – –	—
To the coronation festivities	– – –	10 – –	—
To the necessitous poor at Hanslope and Castlethorpe in Bucks in the winter, 1830	– – –	24 16 6	—
To the National School	10 – –	10 – –	—
Dispensary	10 – –	10 – –	10 – –
Agricultural Society	5 5 –	5 5 –	5 5 –
Poor (winter of 1829)	25 – –	—	—
Purchase of shares in public undertakings	50 – –	400 – –	50 – –
Interest on charity monies in the hands of the corporation, viz.:			
Mrs. Garmstone's charity	100 10 –	100 10 –	100 10 –
Mr. Garmstone's charity	7 10 –	7 10 –	7 10 –
Holland's charity	17 10 –	17 10 –	17 10 –
Westby's charity	30 12 6	30 12 6	30 12 6
Harvey's charity	12 – –	12 – –	12 – –
Barker's charity	5 – –	5 – –	5 – –
Durance's charity	9 – –	9 – –	9 – –
Interest on debt (on bond)	1,080 15 –	1,182 15 –	1,263 8 9
In discharge of debt and interest	4,780 6 11	—	700 – –
Purchase of a house	777 17 8	—	—
Law expenses	96 15 1	88 7 9	108 17 2
Balance paid to predecessor	2,231 6 –	935 19 3	987 7 2
£.	11,983 5 –	5,549 – 7	5,791 16 7

The Salaries of the corporate officers have been specified. With these are joined the following:

	£. s. d.
Master of the grammar school	30 – –
Rector of St. Peter at Arches, a gratuity	50 – –
Organist of St. Peter	20 – –

The

The sums headed "Charities" are the annual charges previously mentioned. The appropriation and application of the money will be stated under a subsequent head.

The excess of expenditure in 1829–30 was met by a loan of 6,000*l.*, which forms part of the present bond debt.

The Extraordinary Expenditure for many years past is abstracted in the following summary: Extraordinary expenditure.

		£.	s.	d.
1781.	Purchase of the city fee-farm rent	1,000	–	–
1784–6.	Subscriptions to the Lincoln new road	250	–	–
1787.	Canwick inclosure rate, fencing new allotments, and erection of new buildings	1,068	–	–
1793.	Subscription for additional bounties to seamen	100	–	–
	Fencing at Hanswell	150	–	–
	Hemswell inclosure	73	–	–
	Drainage at Carholme	90	–	–
1794.	Purchase of an estate at Hanslope	540	–	–
	Inclosure rate at Castlethorpe	317	–	–
	Fencing new allotments at Hemswell (including glebe allotments), and erection of buildings	843	–	–
	Subscription for internal defence	300	–	–
	——— to the organ of St. Peter's church	105	–	–
	Improvements in St. Peter's church-yard	266	–	–
1795.	Subscription to the poor	100	–	–
1798.	Purchase of an estate at Belton	2,100	–	–
	——— of a close ditto	315	–	–
1799.	Improvements of the Belton estate	249	–	–
	Agricultural buildings at Belton	255	–	–
	Fencing and ditching new allotments at Belton	191	–	–
	Improvements at Brayford river bank	111	–	–
	On account of redemption of corporation land-tax	312	–	–
1800.	Extra work at Belton	455	–	–
	Redemption of land-tax	3,525	–	–
	Purchase of an Estate at Hanslope	540	–	–
1801.	Subscription to the poor	100	–	–
1802.	Expenses of festivities at the peace	320	–	–
1803.	Subscriptions in aid of the fund for establishing the volunteers infantry	525	–	–
1806.	Buildings at Canwick	130	–	–
1807.	Survey and valuation at Castlethorpe and Hanslope	98	–	–
1808.	Buildings at Belton	150	–	–
	Corporation expenses in connexion with the Witham New Bill	276	–	–
	New house at Hanslope and Castlethorpe	673	–	–
	Payment to vicar on account of dilapidations	108	–	–
1814–18.	Purchase of Witham Navigation shares	5,900	–	–
1826.	Cost of a race-stand, and alteration of course	6,652	–	–
	Tunnel in Broadgate	250	–	–
1827.	Improvements in Guildhall-street	1,000	–	–
1828.	Inclosing part of Saltsea forest	610	–	–
	Improvement of sheep market	400	–	–
1828–9.	Purchase of 20 Gaz. Co. shares	500	–	–
1830.	Purchase of 10 Dunham Bridge shares	500	–	–
1831.	Expense of lowering the High Bridge, and repairing the adjacent street	250	–	–
	Payment to Christ's Hospital, London (on giving up the Jersey school)	700	–	–
1832.	Improvement of City Arms	300	–	–

The Accounts, which are audited by the Council, are not published, nor are the Citizens and Commonalty allowed to inspect them. Accounts and Audit.

If a tradesman in the council has bills on the corporation, it is not considered a disqualification for the office of auditor.

LINCOLN.
Finance Report.

A Committee was appointed, in 1827, to inspect the accounts, for the purpose of ascertaining the state of the Corporate Finances. They state in their Report, "That, conceiving, from the tenor of their instructions, that it was the wish of the corporate body to obtain information as to the amount of their regular and ordinary receipts and expenses, with a view to ascertain the amount of surplus and available income, rather than to have any detailed particulars of the expenditure upon extraordinary works and undertakings, they have applied themselves chiefly to the former object.

"The result, however, upon the funds of the corporation in executing works and undertakings not within their ordinary and necessary items of expense, will appear in the increased debt ond obligation of the corporate body.

"The debt is as follows:

	£.	s.	d.
"Charity money in the hands of the corporation - - -	3,802	10	–
"Monies borrowed on bond - - - - - - -	42,740	–	–
"Due to the Bank without security - - - - - - -	700	–	–
"Total - - -	£. 29,242	10	–

"The interest payable annually on this total is 1,330*l.* 8*s.* 6*d.*

"In endeavouring to ascertain, as nearly as practicable, what may be deemed the present regular and ordinary receipts and disbursements of the corporation, the Committee have taken such items of income and expenditure as vary and fluctuate from time to time in amount, on an average for the three years 1826, 1827 and 1828; and the result is, that the regular and ordinary income appears to be, and the regular and ordinary expenditure 4,010*l.* 11*s.* 2*d.*, leaving a surplus income applicable to such objects as the corporation may direct, of 419*l.* 18*s.* 10*d.*

"The Committee also beg to observe, that, in stating the debts of the corporation at 29,242*l.* 10*s.*, it should be recollected, that part of the monies borrowed, and included in that amount, have been expended in the purchase of Witham Navigation Shares, and other similar property, which, if sold at par, would produce 8,377*l.*, applicable to the payment of so much of the debt, which would reduce the amount to 20,865*l.* 10*s.*

Alienations of Property.

The only Alienations during the last 50 years of Corporation Property applicable to general purposes have been the two following:

In 1828, a small piece of land in Newland Lincoln was sold to the proprietors of the Lincoln Gas Company for 100*l.*, which was appropriated to the general purposes of the corporation.

In 1833, a messuage, held by lease for 40 years, under the vicars of the cathedral, was sold to Mr. Thomas Sawden for 500*l.*, which sum has not yet been received.

VII. Funds and Revenues specifically appropriated.

The Funds and Revenues entrusted to the corporation, with a specific appropriation, are—

1. The Tolls of the Fossdyke Navigation.
2. Various Charity funds and revenues.

1. Fossdyke Tolls.

From an early period the corporation have levied Tolls on the River Fossdyke, which runs through the city.

By an Act passed in the reign of Car. II. A. R. 22-3, they were empowered to undertake the navigation of the Witham and Fossdyke channels, and to levy tolls and duties for this purpose.

It appears from the preamble of the Act that for some hundred of years there had been a good navigation between Boston and the River Trent through the city of Lincoln, and that a great and beneficial trade had been carried on by means of this navigation with Lincolnshire, Nottinghamshire and Yorkshire, affording "an honest employment and livelihood to great numbers of persons." The navigation had become obstructed, and was fallen into "great decay, by reason that the rivers or ancient channels of Witham and Fossdyke, which run betwixt Boston and Trent, are much silted and landed up, and thereby not passable with boats and lighters as formerly, to the great decay of the trade and intercourse of the said city, and all market and other towns near any of the said rivers, which hath produced in them much poverty and depopulation."

It was to remedy this evil, and to provide for the further improvement of the navigation, that the corporate authorities were empowered to undertake the management, and to levy such reasonable tolls as might be fixed by commissioners appointed under the Act. The tolls were appropriated to the purposes of the Act by the following clause:

"To defray the charges of making their respective rivers navigable, it shall and may be lawful for them and every of them from time to time to demand, receive and take such reasonable rates or toll for the carriage of pit-coals, sea-coals, lead, corn, timber, or other carriages or things whatsoever, by any boat or vessel, to be respectively carried and conveyed in the said rivers or channels, or any part of them, as by the said commissioners, or any seven or more of them, shall, by any instrument indented under their hands and seals, be in that behalf assessed, limited and appointed."

The

The corporation undertook the management, and the tolls were fixed by the commissioners.

Alienation of the Tolls.

In 1740 the locks and other works upon the Fossdyke were again in so ruinous a condition, and the channel so much warped, that the navigation was obstructed, and in a great manner useless. An agreement was then entered into by the corporation with a Mr. Richard Ellison, at that time a stranger to the city, that he should make new locks and other necessary works; deepen the channel, maintain the navigation, and farm the tolls at 75 *l.* a year. This agreement was confirmed by two leases of the tolls, dated 1740 and 1741, for 999 years.

At the time these leases were granted, the tolls were inconsiderable. They are now very productive. The amount levied under their authority is not known to the corporation, but it has been supposed that they have produced as much as 12,000 *l.* a year.

State of the River and its Banks.

They have not, however, been expended in maintaining a proper navigation, and the state of the river and its banks have for many years past been a subject of just complaint on the part of the merchants and other inhabitants.

The wall which banks the sides of the river had begun to give way about 1810, and ha been suffered to get worse and worse. In 1823 some of the grand jury proposed to present this part of the city as a nuisance, and at that time several lives, they state, had already been lost there. Such was the state of the banks, that the small houses along the side of the river were left unprotected, and many yards of the footpath were quite washed away. The majority however of the grand jury refused to join in this presentment, and the town clerk states that it would have been useless, as the condition of the banks was notorious, and well known to the corporate authorities.

Influence of the Recorder, and his Interest in the Tolls.

In consequence of repeated complaints made to the corporation, notices were given to Colonel Ellison, a grandson of the original lessee, who was the person beneficially interested in the tolls; but nothing effectual was done in consequence of these notices. Colonel Ellison possessed great influence in the council. He had been for many years their Representative in Parliament, their recorder, chairman of their quarter sessions, and a colonel of the city cavalry. The corporation account was kept at the bank of Messrs. Ellison & Co. who occasionally advanced them money. The influence derived from these circumstances was further increased by making the town clerk his election agent, and thus attaching to his own interest the legal adviser of the corporation.

In 1826 a memorial was presented to the council by the owners of vessels and others interested in the navigation, stating their grievances, and praying assistance. This memorial was signed by 92 respectable inhabitants. No answer was returned. The merchants then appealed to the "united exertions of the public."

In the same year a motion was made in the council by one of the aldermen, who was himself engaged in trade, that a further notice should be given to Colonel Ellison, requiring him to perform the conditions of his lease. The following letter was written by the town clerk:

"Sir;—You are probably aware that the corporation of Lincoln have felt it to be their duty to originate an inquiry into the circumstances and validity of the leases granted by the corporate body of 1740 to your ancestor, Mr. Ellison of Thorne, of the tolls, &c. of the Fossdyke Navigation. The result of that investigation has been submitted to two leading gentlemen of the Chancery Bar, who are decidedly of opinion that there is nothing in the ancient rights exercised by the corporation, or in the Act of 22 and 23 of King Charles II. which authorized the corporate body of 1740 in assuming to themselves the character of beneficial owners. They think that the river was an ancient public easement, which having, at the period of passing the Act of King Charles, fallen into decay, the intention of the Legislature, as expressed in that Act, was merely to enable the undertakers to complete and afterwards to support the navigation, and to levy such tolls as should from time to time be necessary for those purposes. But they are clearly of opinion that the Legislature did not intend the corporation, or any person authorized by them, to obtain a pecuniary venue from the navigation; and that tolls imposed upon the subject beyond what is adequate to the original improvement, and subsequent support of the river, is illegal. The consequences involved in the principles thus advanced are so highly important to the trading, and indeed to the general interests of the city, that it has been resolved to seek to establish them by competent authority; and I have been directed, as solicitor to the committee to whom the management of the business has been intrusted, to adopt the necessary proceedings. Before I shall do so, however, the committe are desirous that you should be apprised of the intended measures, and assured, that if any steps consistent with the above opinions of the public claims and interests can be taken for disposing of the question without litigation, they will gladly concur in them. You will oblige me by an answer at your earliest convenience; and I have the honour to be, sir, &c.

"10 December 1826."

Colonel Ellison replied, that the corporation had parted with their interest, and had nothing to do with the matter.

A public meeting was then called, and a committee was appointed to confer with the lessee on the subject. The conference failed, and a second meeting of the owners and occupiers of land, and others interested in the navigation, was convened by the mayor, who presided on the occasion. They passed a resolution empowering the town clerk to commence legal proceedings on their behalf, and appointed a treasurer to receive subscriptions for defraying the expense.

LINCOLN.

Complaints of the Inhabitants.

The complaints of the inhabitants were laid before the commissioners appointed under the Act in a "Petition of Merchants, Traders, Vessel Owners, Householders and others interested in and affected by the present state of the Fossdyke Navigation."

The petitioners state, that they "consider themselves most unlawfully oppressed by the present rate of tolls charged for navigating the river, which they have reason to believe is tenfold greater than is expended on the navigation, and which they are warranted by counsel in declaring to be much greater than is authorized by law." And their prayer is, that the commissioners would forthwith reduce the tolls to a reasonable rate, and compel the undertakers to make the navigation equal to the trade and commerce of the place.

This petition is dated 15th January 1827.

In consequence of these complaints, the commissioners invited the public to lay before them proofs of the state of the river, and of the amount as well of the tolls as of the expenditure. Evidence was accordingly submitted to them, to show that the navigation was in a neglected and ruinous condition; and that the expenditure upon it was trivial, and, compared with the receipts, almost nominal.

The lessees denied the authority of the commissioners, and the tolls were not reduced.

In 1829, and again in 1830, the grand jury complained of the state in which the banks of the river were left. A person had been found drowned, and the accident was attributed to this cause. The present town clerk states, that for 10 years previous the evil had been so great, that, as the legal adviser of the corporation, he would have recommended an action at law, if they had been disposed to proceed against their lessee.

Legal Proceedings.

In 1831 writs were at length issued against the representative of Colonel Ellison, who died in 1827. A chancery suit has been since commenced on the part of the inhabitants against the lessee, the corporation, and other interested parties. The action at law has been consequently abandoned.

The annuity reserved to the corporation by the lease is not applied to the purposes of the Act, but forms a part of their general fund.

2. Charity Funds Revenues.

The other Funds and Revenues under the control of the corporation or its officers are appropriated to charitable purposes. The following is an enumeration of these funds, distinguishing—1. The nature of the fund. 2. The mode of acquiring it. 3. The appropriation by the donor. 4. The present application. 5. The trustees.

Acham's Charity.—1. A rent-charge of 12 *l.* per annum, issuing out of an estate at Asterby, Lincolnshire.

2. By the will of Anthony Acham, late of Holborn, London, gentleman, deceased, dated 27 June 1638.

3. To be distributed in bread yearly at six several times, by equal and rateable proportions, amongst the poor people of Lincoln.

4. Paid by the mayor in money to the several parish officers, according to the proportions long established by custom, and by them distributed in bread to their respective poor.

5. The mayor, sheriff, citizens and commonalty.

Boulter's Charity.—1. A rent-charge of 10 *l.* issuing out of an estate at Barlings and Stainton, in the county of Lincoln.

2. By the will of Edmund Boulter, Esq.

3. For and towards maintaining a school in the parishes of Stainton and Barlings, in the county of Lincoln, or one of them, for educating children of the said parishes in English and arithmetic.

4. Paid annually to the schoolmaster of Barlings, appointed by the corporation.

N.B.—The stipend for the last five years has not been paid, in consequence of a clergyman having obtruded himself into the school without appointment. The trustees find a difficulty in ejecting him.

5. The mayor, sheriffs, citizens and commonalty.

Durance's Charity.—1. A fund of 180 *l.* in the hands of the corporation.

2. By the will of Mary Durance, late of Lincoln, spinster, 23d October 1810.

3. For two poor women above the age of 50, of the parish of St. Martin, Lincoln.

4. Paid to two poor women of the parish of St. Martin, Lincoln, by annual payments of 4 *l.* 10 *s.* each.

5. The mayor and six senior alderman.

Sir *William Ellis's Charity.*—1. A rent-charge of 10 *l.* 8 *s.* per annum, issuing out of an estate at Swinethorpe, in the parish of Snelland, Lincolnshire.

2. By deed, dated 2d May, 8 Charles I. between the mayor, sheriffs, citizens and commonalty of the city of Lincoln of the one part, and Sir William Ellis of the Close of the Cathedral Church of Lincoln, knight, of the other part.

3. To pay 2 *l* 12 *s.* each yearly to four poor widows; one to be the immediate widow of a vicar or singing man of the cathedral, and the three others to be the immediate widows of freemen of the said city.

4. Paid

4. Paid to four widows annually, as prescribed by the will.
A balance of 13*l.* 0*s.* 7*d.* is now due to the trustees.
5. The mayor, sheriffs, citizens and commonalty.

Gale's Charity.—1. A rent-charge of 22*l.*, issuing out of lands at Claypoole, in Lincolnshire.
2. By the will of Robert Gale, citizen and vintner of London, dated 4 July 1612.
3. To be distributed amongst the poor of the several parishes within the city of Lincoln, on St. Thomas's day annually, in the proportions mentioned in the will.
4. Paid by the mayor in money to the several parish officers, and by them distributed in bread to the poor as directed by the will.
5. The mayor, sheriffs and chamberlains.

Garmstone's Charity.—1. A fund of 2,010*l.* in the hands of the corporation at 5*l.* per cent.
2. By the will of Elizabeth Garmston, late of the city of Lincoln, widow, dated 3d January 1798.
3. The interest of parts thereof, amounting to 87*l.* 10*s.*, to be paid annually for ever to several poor men and poor women in the parish of St. Martin, Lincoln, in the proportions therein mentioned; and 5*l.* annually for the education of two poor boys and two poor girls; 4*l.* annually to the organist of St. Martin's; and 4*l.* to the parish clerk for taking care of the founder's late husband's monument.
4. Paid in money to the poor men and women of St. Martin's, and to the organist parish clerk, and for teaching two poor boys and two poor girls of the said parish, according to the provisions of the will.
5. The mayor and six senior aldermen.

Harvey's Charity.—1. A fund of 400*l.* in the hands of the corporation, at 3*l.* per cent.
2. By the will of John Harvey, esquire, late of Lincoln, 24 January 1758.
3. For four poor freemen of the city of Lincoln, two of them to be of the parish of St. Martin.
4. Paid to four poor freemen, two being of the parish of St. Martin, in annual sums of 3*l.* each.
5. The mayor, sheriffs, citizens and commonalty.

Holland's Charity.—1. A fund of 350*l.* in the hands of the corporation, at 5*l.* per cent.
2. By the will of Edward Holland, late of the city of Lincoln, Humber, 21 January 1749.
3. For four poor widows, and to the churchwardens of the parish of St. Martin for the repair of the church.
4. Paid to four poor widows of the parish of St. Martin, in sums of 3*l.* 10*s.* each annually, and 3*l.* 10*s.* to the churchwardens.
5. The mayor, senior alderman and town clerk.

Knight's Charity.—1. A piece of land called the Cherry Holt, in the city of Lincoln, let at an annual rent of 11*l.* 10*s.*
2. Supposed by the will of William Knight, of the city of Lincoln, gentleman (though neither the will nor any extract can be found).
3. For distribution amongst the poor of the several parishes in the city of Lincoln, except the parishes of St. Swithin and St. Peter in Eastgate, in proportions prescribed by ancient usage.
4. Paid by the mayor in money to the several parish officers, and by them distributed in bread amongst their respective poor.
5. The mayor, sheriffs, citizens and commonalty.

Lyon's Charity.—1. A fund of 500*l.* vested in the purchase of 492*l.* 14*s.* 11*d.* new 3½ per Cent. stock.
2. By the will of Samuel Lyon, esq., late of Lincoln, dated 27 November 1804.
3. For decayed housekeepers of the city of Lincoln, and not to be paid in sums less than 3*l.* each.
4. Paid to three poor men and three poor women, decayed housekeepers, at 3*l.* each annually.
5. The mayor and aldermen.

Licensing Money.—1. A fund arising from payments of 5*l.* each, by non-freemen taking alehouse licenses.
2. Ancient custom.
3. For putting out as apprentices the sons of freemen, with premiums of 20*l.* each, 10*l.* to be paid on the execution of the indenture, and 10*l.* at the expiration of four years, if the relation of master and apprentice be then subsisting to the satisfaction of the trustees.
4. In putting out as apprentices the sons of freemen. The present balance in hand is 230*l.* 11*s.* 6*d.*
5. The mayor and aldermen.

Sir N. Raynton's Charity.—1. A rent charge of 10*l.* on certain houses in Lombard-street, London, belonging to the Haberdasher's Company, London, and paid annually by them.
2. By the will of Sir Nicholas Rayton 1646.
3. For placing out as apprentices to trades, the children of poor persons born in the city of Lincoln (but not of freemen), the premium to each never exceeding 5*l.*

LINCOLN.

4. As directed by the will. The present balance in hand is 65*l.* 5*s.* 10*d.*
5. The mayor and aldermen.

Richier's Charity.—1. A rent-charge of 12*l.* per annum (but subject to a deduction for land tax of 2*l.* 8*s.*) arising ont ot estates at Ingoldmells and Addlethorpe, in the county of Lincoln.
2. By the will of Peter Richier of the bail of Lincoln, M. D. 4th June 1728.
3. For three poor widows to be resident in the city of Lincoln, below Hill there.
4. Paid to three poor widows residing below Hill, Lincoln, in sums of 3*l.* 4*s.* each annually.
5. The mayor, senior alderman and town clerk.

Sutton's Charity.—1. Rectory and lands at Glentham, in the county of Lincoln, and certain tithes in the parish of Caenby, in the said county, held by lease of the Dean and Chapter of the cathedral church of Lincoln for 21 years, renewable every 7 years, and producing a clear annual rent of about 260*l.*
And 935*l.* 5*s.* in the Government 3½ per Cents. producing annually 32*l.* 18*s.*
2. By the will of Thomas Sutton, esq., dated 2 November 1611.
3. To distribute and bestow the same amongst 20 of the poorest people that should be dwelling in the said city.
4. To 20 poor men, by 8*l.* each annually, as directed by the will.
The fine and expenses attending the last renewal of the lease was 439*l.* 10*s.* This renders it necessary for the trustees to keep in hand a reserve. Their present balance is 182*l.* 17*s.*, besides the investment in the Funds.
5. The mayor and aldermen.

Smith's Charity.—1. Estates at Fossdyke Fen, Braytoft and Algarkirk, in the county of Lincoln, producing an annual rental of about 636*l.*; and 410*l.* 13*s.* 8*d.* in the Government 3½ per Cents. producing annually 14*l.* 14*s.*
2. By the will of John Smith, of London, merchant, dated 20 October 1653, and several acts, deeds and proceedings in law grounded thereon.
3. To be distributed by the mayor and six senior aldermen of Lincoln, two-third parts to the poor of the parish of St. Swithin in the city, and the remaining third part to the poor of the parish of Eastgate, in the city.
4. Distributed by the mayor and six senior aldermen in money amongst the poor of the parishes of St. Swithin and Eastgate quarterly, in sums of 10*l.* to the former, and 5*l.* 10*s.* to the latter. The sums given to recipients vary in amount according to their age, family, and other necessities, 3*l.* quarterly being the maximum to any one recipient.
5. The mayor and six senior aldermen.

Sir Thomas White's Charity.—1. A fund arising from payments by the corporation of the city of Bristol of 104*l.*, every 24 years.
2. By deed, dated 1st July 1566, between the mayor, burgesses and commonalty of the city of Bristol, of the first part; the president and scholars of St. John Baptist, Oxford, of the second part; and the master and wardens of the Merchant Taylors, London, of the third part.
3. For advancing by way of loan, on bond for 10 years, without interest, the sum of 25*l.* to young men of the city of Lincoln, and freemen of the same. Clothiers to be preferred.
4. As directed by the foundation deed. Thirteen bonds are outstanding. The last payment was in 1832. The present balance in hand is 159*l.* 2*s.* 11*d.*
5. The mayor, sheriffs, citizens and commonalty.

Westby's Charity.—1. A fund of 612*l.* 10*s.* in the hands of the corporation at 5 per cent.
2. By the will of George Westby, of the parish of St. Peter, Lincoln, 19th April 1786.
3. The interest to be distributed annually to three poor men and three poor widows or spinsters, above the age of 60, and inhabitants and parishioners of some parish, in the city of Lincoln.
4. To three poor men and three poor women in sums of 5*l.* 2*s.* 1*d.* each annually, according to the provisions of the will.
5. The mayor, sheriffs, citizens and commonalty.

The Funds now enumerated are exclusively under the control of the corporation or its officers. In some instances, where they have retained and appropriated the fund, it was left to them for investment. In all cases they pay 5 per cent. interest on the amount, where no specific rate is fixed.
The treasurer is the mayor, and his accounts are audited by the mayor and aldermen. When a deficiency arose from the default of Alderman Sewell, it was made good out of the general corporate funds.

Christ's Hospital.

The mayor, senior alderman and town clerk are joint trustees and governors (with others not of the corporate body) of Christ's Hospital, Lincoln, founded by Richard Smith, esq., M.D. The property left by the founder, with that added by subsequent benefactors, consisting of real estates, and money in the funds, produced about 1,700*l.* a year. Out of which the expenses of managing the estates and institution are discharged, and 56 boys are clothed, kept and educated in the establishment for seven years, and at the end of that time are apprenticed, with a premium of 16*l.* each, to trades for a further period of seven years.

The

The State and prospects of the city may be collected, in some measure, from the following statistical facts:

VIII. STATE of the CITY.

1. Progress of Population:

Population.

Year	Total.	Increase.
1801	7,398	—
1811	8,861	1,463
1821	10,367	1,506
1831	11,843	1,476

The number of males in 1831 was 5,644.

2. Occupations:

Occupations.

Families	Agricultural	470
	Trading, &c.	1,108
	Not comprised in these classes	914

3. Annual value of real property:

Property.

In 1815 it was £.44,396

4. Parochial assessments:

Local Taxation.

1825	£.3,127	—	—
1829	3,851	5	—

5. Paving rate:

1833	£.1,414	8	6

6. Assessed taxes:

1829	£.2,896	8	3
1830	2,945	16	4¾
1831	3,048	1	1¼

7. Parliamentary constituency:

Parliamentary Constituency.

	Freemen.	Householders.	Total.
1832	582	461	1,043
1833	603	521	1,124

Local Acts:

Local Acts.

1. For Recovery of small Debts:

"An Act for the more speedy and easy Recovery of small Debts within the City of Lincoln, and County of the same City, and the Liberties and Precincts thereof, and within the Bail of Lincoln, in the County of Lincoln; 24 Geo. II., 17 January 1750."

2. For the Maintenance of the Poor:

"An Act for the better Relief and Employment of the Poor of the several Parishes in the City of Lincoln and County of the same City, and of the Parish of Saint Margaret, part whereof lies within the said City, and the other part in the Close of Lincoln, in the County of Lincoln; 36 Geo. III. c. 102, 14th May 1796."

"An Act to amend and render more effectual an Act passed in the 36th year of the reign of his late Majesty King George the Third, intituled, 'An Act for the better Relief and Employment of the Poor of the several Parishes within the City of Lincoln and County of the same City, and of the Parish of Saint Margaret, part whereof lies within the said City, and the other part in the close of Lincoln, in the County of Lincoln; 2 Geo. IV. c. 49."

3. For inclosing Lands within the City:

"An Act for inclosing Lands in the Parishes of Saint Nicholas and Saint John, in Newport; Saint Peter, in Eastgate; Saint Mary-le-Ugford, Saint Martin and Saint Swithin, in the City of Lincoln, and in that part of the Parish of Saint Margaret which lies within the said City, and for setting out and appropriating certain Lands within the said City as a common Pasture for the purposes therein mentioned; 43 Geo. III."

4. For lighting, paving, Improvement and Police:

"An Act for paving, lighting, watching and improving the City of Lincoln, and the Bail and Close of Lincoln, in the County of Lincoln, and for regulating the Police therein; 9 Geo. IV. c. 27."

The inhabitants are well provided with schools, the wages of labour are good, and the poor-rates are low. A great deal of church property is distributed throughout the city, which is said to interfere with local improvements.

A consolidation of parishes is suggested as very desirable. At present there are 15, each having a distinct official establishment; and these divisions are not only attended with increased expense, but they prevent any unity of purpose in the management of parochial business.

IX. SUMMARY and OBSERVATIONS.

The Charters of this city incorporate the citizens and inhabitants. From the existing corporation, the great majority of those citizens and inhabitants are excluded.

LINCOLN.

4. As directed by the will. The present balance in hand is 65*l.* 5*s.* 10*d.*
5. The mayor and aldermen.

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3. Annual value of real property: Property.

In 1815 it was £.44,396

4. Parochial assessments: Local Taxation.

1825	£.3,127	—	—
1829	3,851	5	—

5. Paving rate:

1833	£.1,414	3	6

6. Assessed taxes:

1829	£.2,896	8	3
1830	2,945	16	4¾
1831	3,048	1	1½

7. Parliamentary constituency: Parliamentary Constituency.

	Freemen.	Householders.	Total.
1832	582	461	1,043
1833	603	521	1,124

Local Acts: Local Acts.

1. For Recovery of small Debts:

"An Act for the more speedy and easy Recovery of small Debts within the City of Lincoln, and County of the same City, and the Liberties and Precincts thereof, and within the Bail of Lincoln, in the County of Lincoln; 24 Geo. II., 17 January 1750."

2. For the Maintenance of the Poor:

"An Act for the better Relief and Employment of the Poor of the several Parishes in the City of Lincoln and County of the same City, and of the Parish of Saint Margaret, part whereof lies within the said City, and the other part in the Close of Lincoln, in the County of Lincoln; 36 Geo. III. c. 102, 14th May 1796."

"An Act to amend and render more effectual an Act passed in the 36th year of the reign of his late Majesty King George the Third, intituled, 'An Act for the better Relief and Employment of the Poor of the several Parishes within the City of Lincoln and County of the same City, and of the Parish of Saint Margaret, part whereof lies within the said City, and the other part in the close of Lincoln, in the County of Lincoln; 2 Geo. IV. c. 49."

3. For inclosing Lands within the City:

"An Act for inclosing Lands in the Parishes of Saint Nicholas and Saint John, in Newport; Saint Peter, in Eastgate; Saint Mary-le-Ugford, Saint Martin and Saint Swithin, in the City of Lincoln, and in that part of the Parish of Saint Margaret which lies within the said City, and for setting out and appropriating certain Lands within the said City as a common Pasture for the purposes therein mentioned; 43 Geo. III."

4. For lighting, paving, Improvement and Police:

"An Act for paving, lighting, watching and improving the City of Lincoln, and the Bail and Close of Lincoln, in the County of Lincoln, and for regulating the Police therein; 9 Geo. IV. c. 27."

The inhabitants are well provided with schools, the wages of labour are good, and the poor-rates are low. A great deal of church property is distributed throughout the city, which is said to interfere with local improvements.

A consolidation of parishes is suggested as very desirable. At present there are 15, each having a distinct official establishment; and these divisions are not only attended with increased expense, but they prevent any unity of purpose in the management of parochial business.

IX. SUMMARY and OBSERVATIONS.

The Charters of this city incorporate the citizens and inhabitants. From the existing corporation, the great majority of those citizens and inhabitants are excluded.

LINCOLN.

Formerly no person enjoyed the privileges annexed to the franchise without paying scot and lot in the city. At present, the great majority of those who pay scot and lot are excluded from those privileges, while little less than one-half of the registered freemen and three-fourths of the whole corporate body are not rate-payers.

From a comparison of the assessments on the freemen with the assessments on the other citizens, it appears that the owners and occupants of more than four-fifths the Property rated in the city, are excluded from its chartered rights.

The Municipal Government is vested in a Council, composed of the mayor, aldermen, common councilmen, coroner, sheriff and chamberlains, all of whom, with the exception of the chamberlains, are chosen by the council itself, and the chamberlains are nominated by the mayor. The mayor is himself chosen from the aldermen, the aldermen the common councilmen, and the coroners from the ex-sheriffs; the sheriffs from the ex-chamberlains, and the chamqerlains from the freemen. The election of the mayor, sheriffs and chamberlains is annual. The rest retain their offices for life, subject to removal by the council.

This is the constitution of the governing body, and there is consequently no external check provided by the elections against an abuse of municipal power.

That power extends to the appointment of the municipal magistracy, and of other local functionaries; the enfranchisement as well of the citizens as of strangers; the entire management and control of the property and revenues entrusted to the corporation; and the administration of its patronage and charities.

In the selection of Municipal Magistrates, whose jurisdiction extends to all offences committed within the precincts of the city, there has been no party exclusion, nor were any complaints made of partiality in their administration of justice. But in the exercise of magisterial patronage, the favour shown to one of the select body has been strikingly exemplified in the licenses recently granted. In one instance, a license granted to a house belonging to a magistrate, and occupied by himself, was obtained either under misrepresentation on the part of the magistrate who obtained it, or in consequence of a misunderstanding on the part of those who granted it. The house itself is disorderly, and has been reported by the coroner as a nuisance to the neighbourhood; but notwithstanding this, the license has been renewed. In another instance, a license was granted, under similar circumstances, to a second house of the same magistrate, which is a known resort of thieves. Several members of the council concur in recommending that all licensed victuallers should be disqualified for the magistracy of the city.

The composition of the Grand Jury is open to much objection. It is exclusively composed of the chamberlains, and those who have served that office; and consequently a bill preferred against the corporation may be thrown out by its own officers, in their character as grand jurors. This has happened in a recent instance.

Another objection is founded on the appointment of the chamberlains, which is a privilege of the chief magistrate; and consequently all those who are qualified to serve on this jury must have been selected by magistrates of the city. The persons selected are usually personal connexions of the mayor.

The Civil Jurisdiction entrusted by the charter to the municipal authorities, and extending to actions of every kind, was long preserved in the ancient court of the sheriffs and steward. This local court has fallen into disuse, in consequence of its expensive and dilatory process; to which we may add, as another probable cause, the want of a competent judge.

The evils arising from its disuse have been partially remedied by the establishment of a Court of Requests, which is much resorted to; but the jurisdiction of the latter is much more limited than that of the former, and there are still many instances of persons refusing to pay their debts, "presuming on the discouragement their creditors lie under."

The Charters have provided as well for the public charges and burthens of the city, as for the local administration of justice. Lands and other possessions were granted by the Crown to the incorparated citizens and inhabitants, and the revenues were expressly appropriated to the maintenance of their public edifices, and to other "common things and charges."

The management of this Property, and the control of these revenues, are unchecked by any official responsibility or publicity. Although the property is very extensive and valuable, the revenues arising from it are inconsiderable; because it is occupied at nominal rents, under leases recognizing the rights of the city on every renewal, without securing to the citizens the benefit accruing from those rights.

As far back as 1693, the principal tenants and occupants have been members of the council, who have thus acquired and retained a personal interest in the occupation, and while the value of the property was progressively advancing, they continued to hold it at the same inadequate rents. Many are still tenants, but within the last thirty years the most beneficial of their leases have been disposed of by assignment, and have now become the objects of family settlements and contracts, in which other and independent interests are involved.

Under this financial management, the Revenues of the city have not been found sufficient to provide for the "common things and charges" to which they were appropriated by the charter; and the deficiency has been supplied by local Taxation. All the expenses attending the administration of justice are defrayed by a rate, imposed by the municipal authorities; and the expenses of the police, by a second rate, which is imposed by local commissioners.

While such has been the disposition of property applicable to general purposes of local utility, another and distinct source of revenue, established by Act of Parliament, and placed under the control of the corporation, for a more specific purpose, has passed into other hands.

The

The river Tolls were expressly granted for the improvement and maintenance of the Navigation. The navigation has been neglected, and the tolls have been alienated.

While as private property they have been yielding a valuable income to the family of Mr. Ellison, to whom they were alienated, not only has the neglected state of the river been a serious obstruction to the trade of the city and surrounding country, but the ruinous state of its banks has long continued a nuisance, and a danger to the inhabitants. Complaints were repeatedly made upon the subject by resident merchants and others, calling for the interference of the council, and for the performance of the conditions under which the tolls were exacted; but notwithstanding the frequency of these complaints, the same grievances were allowed to continue for years without any further proceeding than a succession of notices to the late Colonel Ellison, to which little or no attention was paid.

Colonel Ellison was the recorder, the representative and the banker of the corporation; and their town clerk was his election agent. His influence in the council, derived from these sources, appears to have precluded any further interference. That influence is now at an end; but, instead of enforcing the performance of the conditions originally attached to the grant, the council leaves this task to the inhabitants, who, after being deprived for many years of all benefit from the tolls, are now saddled with the expense of a chancery suit to maintain the corporate rights of the city.

From this review of the Existing Constitution, and its practical working, we arrive at the following results:

That the most considerable portion of the incorporated citizens and inhabitants, whether considered with reference to numbers, property or taxation, are excluded from the franchise of their city, disqualified for its municipal offices, and disqualified for service on the grand jury.

That no local responsibility is attached to the exercise of official power; and while the community is governed and taxed by functionaries over whom they have no control, the revenues entrusted to those functionaries for public purposes have been converted into private property.

As an improvement of the municipal system, several members of the corporation concur in recommending that the council should be made a representative body, and that the elections should be by ballot. This mode of election is always pursued here, and found unexceptionable in practice.

XI. DOCUMENTS.

The Documents accompanying this Report are,—

1. A translation of the governing Charter, 4 Car. I.

2. An ancient proclamation of the city, called "the Mayor's Cry," containing various local regulations.

3. A return of the names, occupations and residences of the city magistrates.

4. A return of the prisoners tried at the city sessions during the last three years.

5. Tables of the fees taken in the courts of the city.

6. A schedule of the corporation property.

7. Copies of the chamberlain's rentals for the four wards of the city.

8. A schedule of the permanent debts of the corporation.

9. A copy of the last audited account of the treasurer.

10. A statement of extraordinary disbursements during the last 50 years.

11. A return of the property alienated within the last 50 years.

12. A copy of the leases of the Fossdyke Navigation.

13. A valuation of the property in the city, made in the year 1828, under the direction of the paving commissioners.

Geo. Long.
John Buckle.

REPORT

ON

THE CORPORATION OF LOUTH,

(LINCOLNSHIRE.)

CONTENTS.

	Page.
Limits of the Corporation	2373
Charters and Constitution	2373
Charter 5 Edw. 6.	2373
5 Eliz.	2373
3 Jac. 1.	2373
5 Jac. 1.	2373
10 Geo. 4.	2373
Title	2373
Officers	2374
Warden, election and functions of	2374
Assistants	2374
High Steward	2374
Town Clerk	2374
Bailiff	2374
Bye-laws	2374
Fines	2374
Privileges of Inhabitants	2374
Courts	2375
Quarter Sessions	2375
Juries	2376
Petty Sessions	2376
Court Leet	2376
Court of Requests	2376
Police	2376
Gaol	2377
Poor	2377
Patronage and the School	2377
Licenses	2378
Property	2379
King Edward's Rental	2379
Queen Elizabeth's Rental	2379
Debts	2380
Property sold	2380
Expenditure	2381
Accounts	2383
Paving and Lighting Rates	2383
State and Prospects of the Town	2384
Population	2384
Assessed Taxes	2384
Parochial Assessments	2384
General Observations	2385
Documents	2385

CORPORATION OF LOUTH.

THE Limits of the Corporation are the town and parish of Louth, and the suburbs, liberties and precincts thereof. Limits of the Corporation.

A Charter granted by Edward the Sixth, on the 21st of September, in the fifth year of his reign, after expressing the vehement and ardent desire of the King that good literature and discipline might be diffused and propagated through all parts of his kingdom, as wherein the best government and administration of affairs consisted, and stating that the town of Louth was a place most fit for the instruction of youth, incorporated the town; the corporate body consisting of a warden and six assistants of the town of Louth and free-school in the same. Together with the ordinary powers conferred on corporations, the charter gave the corporate body the ability and power "to make, constitute and ordain statutes and ordinances in writing, concerning and touching the order, governing and direction of the master usher and scholars of the school aforesaid;" these orders, after being submitted to the bishop of the diocese, and being signed by him, were to be inviolably observed. The charter also granted, for the maintenance and continuance of the school, to the warden and assistants, certain messuages, lands, tenements and rents therein particularly enumerated and described. Two markets of all kinds of wares and goods (except living creatures or animals) to be held twice a week, three fairs in the course of the year, and one beast-market every week, with all tolls, &c. arising therefrom, were given to the warden and assistants by the same charter, together with liberty to keep a *pie poudre* court during the fairs. It also appoints a master and under master of the school, and entitles the warden and assistants, on a vacancy occurring in either of their offices, to present to the Bishop of Lincoln a fit and learned person as a successor. The warden and assistants are to feed and sustain 12 poor persons. A power is granted to them to turn a church into a school. The charter also empowers them to hold lands, &c. to the amount of 40*l.* Charters and Constitution. Charter, 5 Edw. 6.

A charter of the 5th Elizabeth confirms the former charter, and grants to the corporation the lordship and manor of Louth and the guild of the Holy Trinity, and chantry of John of Louth, and the guild of the Blessed Mary in Louth, together with a court leet. A fee-farm rent of 84*l.* is reserved to the Crown by the charter. 5th Eliz.

James the First, by a charter in the 3d year of his reign, grants that the warden and one of the assistants shall be justices of the peace, and gives them authority to inquire of all trespasses, misdemeanors and inferior crimes and offences, but not of treason, murder or felony, or any thing touching the loss of life or limb, without the special command of the King. It also orders that the election of the warden, assistants and other officers may be made in the town hall of Louth. The beast-market, given by Edward the Sixth, is confirmed, and some regulations are made respecting the tolls to be taken on the sale of cattle. The charter also confirms the estates of the corporation. 3d Jas. 1.

The same monarch confirmed this charter by a subsequent one in the fifth year of his reign, and thereby granted to the corporation authority to make perambulations of the town as often as they should please, and to make reasonable statutes, constitutions, decrees and ordinances for the governing of the town and school, and to inflict imprisonment and fines on transgressors against their laws. They are also empowered to impose fines on persons refusing to serve the corporate offices, and to imprison such offenders in case they refuse to pay the fines. The warden is authorized by the same charter, in case of sickness, or going out of the town for any reasonable cause to be allowed by the assistants, to appoint one assistant, an inhabitant of the town, to be his deputy. Power is given to the corporation to tax the inhabitants towards the necessary charges of the town, and for other things and matters touching and in anywise concerning the town; and the money so taxed to levy and take of the inhabitants for the use of the town, according to the laws of the realm, and "as it is used and accustomed in any other borough or town incorporate." The warden is authorized to punish drunkards and other evil-doers, as well by the verdict of a jury, as by other lawful ways and means. The charter also contains a confirmation of the right of the corporation to their lands, &c. 5th Jas. 1.

By a charter of the 10th year of George the Fourth, the number of justices of peace is increased to four, three of the assistants being made justices instead of one as heretofore; and they are empowered to try felonies, but not treason, murder or any other matter touching the loss of life or member, without the special command of the King. 10th Geo. 4.

These are the only charters which have been granted to the corporation of Louth, and its constitution is entirely founded on them.

The Title of the corporation is, Warden and Six Assistants of the Town of Louth, and Free School of King Edward the Sixth in Louth. Title.

LOUTH.

ficers.

In addition to the warden and assistants, this corporation has a high steward, town clerk and bailiffs; but these officers are not named in the charter.

arden, election d functions of.

One of the six assistants is annually elected into the office of Warden by the warden and assistants. The assistants are usually taken in rotation, and only three instances can be found of the same person having served the office of warden during two successive years. He must be resident; he is the head of the corporation, a justice of the peace, and presides at the quarter sessions; he gives regular attendance at the petty sessions, which are held every week, and is called upon, almost daily, to act as a magistrate; he has a salary of 50*l.* a year; and certain small sums, called provision rents, amounting to 20*s.* 4*d.* are paid to him annually. We have seen that the warden is authorized to appoint one of the assistants his deputy, in case of sickness or necessary absence.

ssistants, election d functions of.

The Assistants are elected for life by the warden and assistants from the inhabitants of the town. Together with the warden they constitute the corporation, and enjoy all the powers and privileges bestowed by the charters which have been stated above. Three of the assistants are justices of the peace; they attend as such at the quarter sessions, and one of them is usually present at the petty sessions every week. This duty is generally taken by turns; each of the three justices attending four months in the year. The warden of the preceding year has generally been one of the magistrates. Dissatisfaction was expressed by some inhabitants of the town respecting the exclusion of tradesmen from the corporation. It appeared that no tradesman had been elected for 27 or 28 years; and it seems probable that none has been a member during a much longer period. No instance indeed was given of any person, while actually engaged in trade, having been elected; but a retired tradesman was admitted about 70 years ago. It will be remembered that the corporation consists of seven members only; and the reason given for the exclusion of tradesmen was that many professional persons, and many living on their property, and following no profession or business, resided in the town, from whom the members of the corporation were chosen, on account of their being persons of superior education, and having more leisure to attend to the duties of the corporation. It was admitted that many respectable tradesmen resided in Louth, who would be able to perform the duties of corporators, but the town clerk said that he thought them not so well qualified as persons of a more liberal education. He added, that he did not think that the mere circumstance of a person being engaged in trade would prevent his being elected; and the warden expressed his conviction, that the person thought the most proper for the office would be elected, whether a tradesman or not. Indeed the exclusion appears to have been confined to shopkeepers; one of the present members of the corporation carries on the business of a wool and seed merchant and banker. Military men are sometimes members. A complaint was made that two members of the corporation, one of whom was a magistrate, were frequently absent from the town; but it did not appear that any inconvenience had resulted from this circumstance. We find no reason to suspect that any improper partiality has been shown in the election of members of the corporation.

It has been stated, that one of the principal objects for which the corporation was created was the establishment and support of the free-school, which is under the direction of the warden and assistants. They are also trustees of Isabella Phillipson's charity, and they receive 5*l.* yearly out of lands in Aisterby, and pay over the same to the churchwardens of Louth, pursuant to the will of Anthony Acham.

igh Steward, ection and functions of.

The High Steward is elected by the warden and assistants for life, and is always a gentleman of property and consideration in the county. The origin of this office does not appear; but he is considered to stand in the same relation to the town as a sheriff does to his county; at least as to issuing precepts for holding the quarter sessions, which is done by him; this appears to be his only duty. He formerly held a court leet. He receives a salary of 1*l.* 6*s.* 8*d.* a year.

own Clerk, appointment and nctions of.

The Town Clerk is elected for life by the warden and assistants; he is always an attorney at law. He is the legal adviser of the corporation, the receiver of their rents, and their accountant; he is also clerk of the peace and of the indictments. His annual salary is 1*l.* 9*s.* 6*d.*; he receives 11*l.* a year in reserved rents, his fees of office are about 36*l.* a year, and he is employed professionally as the attorney and solicitor of the corporation.

ailiff, appointment d functions of.

The Bailiff is appointed by the corporate body, to hold his office during good behaviour. It is his duty to summon the grand and petty juries for the sessions; and he executes the high steward's precept for holding the sessions; he is also crier of the court. He has a yearly salary of 3*l.* 6*s.* 8*d.*, and receives about 10*l.* annually for looking to the corporation lands and other petty services. No fees are paid on admission to the corporation, or to any of its offices.

ye-laws.

We do not find that any Bye-laws have been made by the corporation, except in the year 1797; the laws then made contained regulations concerning the streets; they are not now acted upon, owing to provisions on the same subject being contained in a local Act.

ines.

It does not appear that the corporation have, in any instance, during the last century, imposed any fines on persons refusing to serve offices.

rivileges of nhabitants.

The usual distinction in corporate towns between freemen and non-freemen does not exist in Louth. All the inhabitants now are, and have been for more than a century, free to exercise any profession, trade, business or calling within the town and parish, without any payment

payment to the corporation; but in the earlier period of its existence payments were made by strangers to them for the privilege of practising trades, &c.

Courts. Quarter Sessions.

The Courts held in Louth are, the Quarter Sessions, Petty Sessions, and a Court of Requests. A court leet was formerly held, but has been discontinued for more than 20 years.

We have seen, that the court of quarter sessions was given by the charter 3d James I. which however only conferred the power of trying misdemeanors. In fact, felonies had been tried for a long period previously to the granting of the last charter; and it is believed from the time of James the First. The jurisdiction of the corporation is not exclusive; but in practice the justices of the parts of Lindsey, in the county of Lincoln, within which Louth is situate, have never interfered in the commitment or trial of persons for such offences as were triable by the corporation magistrates. The most perfect harmony has always prevailed between the justices of Lindsey and the corporation. A petition to the King, dated 6th December 1828, was signed by 342 persons, comprising clergy, gentry, merchants, tradesmen and individuals of all parties in politics and various religious denominations, inhabitants of the town; praying that the number of corporation justices might be increased to four; and power given to them to try felonies. Another petition to his Majesty, dated on the same day, and to the same effect, was signed by the chairman of the quarter sessions and 17 other magistrates for the parts of Lindsey. These petitions had the desired effect, and the charter 10 Geo. IV. was granted in consequence.

The court consists of the warden (who presides) and of the three justices. The quarter sessions are regularly held. It is understood that all the justices must be present at the trial of a felony; but that a misdemeanor may be tried before two magistrates. Capital cases, and sometimes others of a serious nature, are sent to the assizes for the county. On some occasions prisoners have been sentenced to 14 years transportation, where there has been a former conviction. The presence of the warden or his deputy at the sessions is deemed indispensable. The court fees received by the clerk of the peace (a copy of which accompanies the report) were fixed long ago, according to the scale used by the justices for the division of Lindsey. The bailiff acts as the crier of the court.

The number of persons committed during the last three years is stated in the following returns.

TOWN OF LOUTH.

NUMBER of PERSONS committed to the House of Correction, by the Magistrates acting for the Town of Louth, on conviction for various Offences, for want of Sureties to keep the Peace and for good Behaviour, &c., during the last Three Years.

Number of persons committed, exclusive of vagrants - - - -	81
Number of the above which were discharged on entering into recognizances, or payment of penalties and costs, &c. - - - -	39
Number of vagrants committed - - - - - - -	198

TOWN OF LOUTH.

NUMBER of PERSONS committed to the House of Correction at Louth, by the Magistrates acting for the Town of Louth, on Charges of Felony, during the last Three Years.

Committed for further examination, and discharged on being examined	10
Committed for examination, and removed to Lincoln for trial at the assizes - - - - - - - - - - - -	9
Committed for trial at the sessions - - - - - - -	18

The following list contains the number of prisoners tried, and their sentences, for the same period.

PRISONERS TRIED AT THE SESSIONS, SENTENCES, &c.

PRISONERS TRIED.			SENTENCES.					
			Imprisonment.				Transportation.	
Number Committed for Trial.	Number Convicted.	Number Acquitted.	3 Months or under.	6 Months.	9 Months.	12 Months.	7 Years.	14 Years.
18	15	3	2	3	2	2	5	1

The average costs of a prosecution at the sessions, during the last three years, has been 8*l.* 10*s.* 3*d.*

This court labours under the disadvantage of not having a lawyer to preside; but justice appears to be satisfactorily administered. About five or six years ago, several individuals were presented by the grand jury for a nuisance, in not cleansing a stream and a pond belonging to a water-mill, in which an accumulation of mud had been allowed to take place at the mill-dam. The defence of the persons prosecuted, who were possessors of houses and lands on the banks of the stream, was that they were not liable to cleanse it; but that the corporation, who were owners of the mill, were bound to keep the stream properly cleansed. The indictment was tried at the sessions, and the defendants were acquitted.

LOUTH.

ıries.

The Grand and Petty Juries are selected by the bailiff from the list of 40*s.* freeholders resident in the town, made up by him from time to time from the parochial assessments. He summons them as nearly as possible in rotation, and selects for the grand jury those of higher station, greater property and more advanced age. The petty jury is taken from the remainder of the list. The lists are not seen by the magistrates, or the clerk of the peace, until they are returned into court by the bailiff.

etty Sessions.

The Petty Sessions are held every Friday, and two magistrates almost always attend; the warden being one, and one of the other justices (as has already been shown) taking the duty in his turn. The county justices have a concurrent jurisdiction, but do not interfere. The petty sessions are generally held at the town clerk's office; but, if more people than usual attend, a room adjoining the county hall is used. A solicitor, who resides in Louth, complained of great inconvenience, arising from the sessions being held at the office of the town clerk, where the public could not be present. He admitted that he did not know of any one having demanded admission and been refused. He said that he was not aware that the petty sessions were ever held at any other place; he had never made any inquiry of the town clerk on the subject, nor did he know of any complaints having been made, either to the town clerk or to the corporation. The reason why he did not complain was, that he thought his complaint would not be attended to. He had seen crowds in the street, when some matter of public interest had been brought before the justices; and he thought that, if the sessions had been held in the town-hall, there would have been room for them. The town clerk (who had previously stated that no application to come into the room where the petty sessions were held had ever to his knowledge been refused) now said that no complaint had ever been made to him by any one, of the sessions having been held at his office. One of the assistants, who is a solicitor, and had been warden in the preceding year, said, that the magistrates always went to the town-hall when matters of public interest came before them, and that he had never known any complaints made respecting the place of holding their sittings. The warden, who is the oldest member of the corporation, said that he had never heard any complaints.

Court Leet.

Before the inclosure of certain open fields in the parish of Louth, the high steward held the Court Leet and Manor Court, in which proceedings for the recovery of debts to the amount of 40*s.* were carried on. Since the passing of a local Act, 47th Geo. III., for the recovery of debts to the amount of 5*l.*, no civil business has been brought before this court, and it was very rarely resorted to for some time before that period. Presentments were formerly made by the court-leet jury, but have been discontinued since the passing of the Improvement Act, 6th Geo. IV.; by which powers are vested in commissioners for regulating the streets and highways, public streams and sewers of the town.

Court of Requests.

The Court of Requests was established by a public Act of Parliament, 47 Geo. III. sess. 2, c. lxxviii, intituled, "An Act for the more speedy and easy recovery of small debts in the soakes of Bolingbrooke and Horncastle, and other places in the county of Lincoln." The commissioners under this statute are authorized to act over the whole district within which the town of Louth is situate. The warden and assistants may qualify as commissioners, but have never done so. Debts are recoverable in this court to the amount of 5*l.* If the demand does not exceed 40*s.*, three commissioners are a *quorum*; but, when it is for a larger sum, five are required to be present. The court sits in Louth once every month. It does not appear to give satisfaction to the inhabitants. A resident stated that he had summoned a man to the court in October 1832, for a debt of 5*l.*; but that he found only three commissioners present. He went out and procured two others to attend; but the whole morning was consumed before his cause was disposed of. Delay appears frequently to occur from the want of a sufficient number of commissioners to form a *quorum*. This was said to be felt as a great inconvenience as well to the commissioners as to the suitors. One witness remarked that suitors had sometimes, from this circumstance, been obliged to wait another month before they could recover their debts. He thought that persons did not attend as commissioners, because the duty was unpleasant; and because it was unfavourable to their interests as tradesmen to act as commissioners. Another person said that he had been a tradesman for 41 years; and that he had struck out 500 debts from his books, amounting to 500*l.* in preference to seeking to recover them at the court of requests. A great deal of business, however, is transacted; sometimes 60 causes have been disposed of at one sitting, and the average number is about 45. Many respectable individuals (and among them the town clerk) expressed an opinion, that a local court for the recovery of debts to the amount of 50*l.* would be very beneficial.

Police.

The Police consists of six constables appointed by the magistrates; and three policemen chosen under 6 Geo. IV. c. cxxix, intituled, "An Act for paving, lighting, watching, cleansing, regulating and otherwise improving the town and parish of Louth, in the county of Lincoln." The warden and assistants are official commissioners, and 43 other persons were named in the Act. Vacancies are filled up by the commissioners. Five commissioners, of whom the warden or a justice must be one, are a *quorum* for the purpose of appointing policemen and officers; and three for other purposes. The policemen are called watchmen and night patrol. Two are always on duty in the night and one in the day. They are sworn in as constables of the parish. Owing to the expense of employing these persons, this part of the Act was not carried into execution till 1831; when, the corporation having agreed to defray a considerable portion of the annual stipend to be paid to the policemen out of their own funds, the commissioners resolved that the remaining sum necessary should be supplied from the fund raised

under

under the authority of the Act. The constables have no regular salary; but are paid by the parishes when employed. Some difference of opinion was expressed respecting the efficiency of the police. It appears to us that the police officers do their duty well, but that the number is not sufficient. This is the opinion of the warden; and the magistrates have recommended the appointment of an increased number of policemen.

The corporation have no Gaol; but the magistrates commit to the county gaol and house of correction of the division, which is within the town. Louth contributes its share to the county rate. The present warden is a justice of the peace for the parts of Lindsey, and as such is a visiting magistrate of the prison. Gaol.

The corporation have no concern in the management of the Poor. Poor.

It has already been shown that the warden and assistants appoint the other corporate officers. They have also the appointment of the master and under master of the school. Whenever a vacancy occurs in these offices, they nominate and present to the Bishop of Lincoln, within one month, "a fit and learned person" to be admitted to the office for the term of his life; and he is admitted by the bishop. The charter Edward VI. provides, that if the master or usher, by reason of a criminal or infamous life, or ignorance or insufficiency to teach, or any other notorious defect or delinquency done against the statutes or ordinances of the school, shall happen to be by the warden and assistants thought fit to be removed, they shall complain to the Bishop of Lincoln, and shall have the power to deprive the master or usher of his office. Patronage, and the School.

The corporation have also the appointment of certain beads-women, who are always aged widows in the parish.

As the establishment of the free grammar school in this town was the principal object for which the charter of Edward the Sixth was granted; and as the regulation of it is still an important branch of the functions of the corporation; we shall here state fully all the information which we have been able to collect respecting it. The reverend gentleman who holds the office of head master of the school presented us with the following statement.

A STATEMENT of the Number of Scholars in the Grammar School of *Louth*, from Christmas 1800 to Midsummer 1833.

		Free.	Not Free.
Christmas	1808	11	37
Midsummer	1809	12	32
Christmas	1809	12	35
	1810	15	36
		15	34
	1811	17	36
		20	35
	1812	15	29
		14	31
	1813	11	11
		11	11
	1814: Nearly the same numbers till Oct. 27.		
	1814. Oct. 27	18	25
	1815	23	33
		23	33
	1816	25	39
		30	42
	1817	31	40
		34	48
	1818	30	43
		33	47
	1819	32	47
		35	46
	1820	35	44
		38	46
Midsummer	1821	42	47
Christmas	1821	38	43
	1822	39	38
		39	37
	1823	41	39
		41	40
	1824	41	40
		40	33
	1825	41	31
		41	38
	1826	40	40
		43	40
	1827	41	39
		46	44
	1828	49	48
		54	48
	1829	54	48
		60	56
	1830	56	55
		47	56
	1831	47	52
		44	50
	1832	39	49
		41	49
	1833	41	46
		35	47

From this return it appears that the school was at a low ebb in 1808, and was reduced still lower in 1813 and 1814, when there were only 11 free boys, and the same number not free in the school. From that time the number of free boys increased pretty regularly till 1829, from which year a gradual declension has taken place. The case has been somewhat different as to the boys who are not free, among whom there has been a considerable increase in the course of the period of the return, and who are at the present time but little less numerous than during the most flourishing period of the school. The increase of the school was said to have been occasioned by increased attention

LOUTH.

attention on the part of the master, and an improved mode of tuition having been adopted, and the late falling off was attributed to the circumstance of the members of some large families having finished their education. As it appears to be admitted on all hands that the whole of the inhabitants of Louth have a right to avail themselves of the benefits of education afforded at this school; as it is contended by many that these advantages ought by no means to be confined to the residents in the town; and as it was asserted by the town clerk that the fact of the residence in Louth of the parents whose children are sent to school is never much inquired into; it will be seen by the facts shortly to be stated, that the number of scholars in the school, which, in 1829, its highest point of elevation, was only 116, and at the period of the return, the Christmas half year 1833, amounted to only 82, is very small compared with the number of children to be educated in Louth and its neighbourhood. Besides the two masters of the school, there are now two assistants who are paid by the masters. The head master said that they were both able mathematicians; and he added, that he looked over the mathematical classes himself. By statutes passed for the regulation of the school in the year 1796, the mode of instruction is left entirely to the master. A paper, containing an account of the course of study in the school, accompanies the report. Free boys come at all ages, the rule of the school being that they may be admitted as soon as they can read well. There is no distinction as to the mode of tuition between the free boys, who are all day-scholars, and the other scholars. The junior classes are occupied five hours a day in winter and four in summer, in learning Latin and Greek, and three hours in other branches of knowledge. Greek, however, is not taught till the boys arrive at the fourth class, there being in all seven classes. The senior classes devote more of their time to the classics. The head master told us that more attention was paid to teaching English now than formerly. All Saints-days are half-holidays, and there are two half-holidays in the week when no Saints-days occur. The boys are allowed vacations at Christmas and Midsummer of five weeks each. The master said that the parents of the scholars had made no complaints of the holidays being too numerous. The only payments for the free boys are two guineas on admission, one to each master, and one guinea a year to the writing master; this last payment is, indeed, in one sense voluntary, as the scholars are not obliged to be taught writing. Formerly a sum of 10*s.* 6*d.* a year was paid by the scholars; it was an ancient payment called potation money, and the master believed that it had been made from the commencement of the school. In the year 1766 this payment was abolished, and the admission-fee substituted. The master stated that it was not always exacted, but that the masters willingly received it from those parents who were disposed to pay it. He said that he had frequently, long before a memorial, which will be presently mentioned, as well as since, stated this to parents, and that he had often remitted it before that time in cases where the parents were unable to pay. It was usually stated to be the custom of the school. He remembered only one instance in which the right to receive the money had been contested, and the demand was not then enforced. A witness stated, that his son had been admitted a free boy about 14 years ago, and that a demand of admission-money, as a right, was made and insisted upon, and that he had paid it to the present head master. In answer to this the master said, that he thought he had not taken the money, but that he could not, at this distance of time, positively assert it.

The state of the school has given rise to much dissatisfaction in the town and neighbourhood; and in February 1831 a large meeting, consisting of upwards of 150 persons, took place; and a memorial was in consequence presented to the corporation. The subject of complaint was, that admission to the school had been improperly confined to the residents in Louth. They also complained of the demand of entrance money, and objected to the mode of instruction pursued in the school. The corporation were however satisfied with the existing regulation, which had long been the rule of the school; and they thought that no alteration was required. It does not appear that any limit was assigned in the memorial as to residence, or in any other way to the right of parents to send their children to the school. The town clerk gave his opinion that the influx of scholars which would probably have followed the proposed extension of the right of admission would have driven away the boarders from the school; in which event the masters would no longer be able to pay the two assistants, and consequently the means of good education would have been greatly impaired. We were told by one individual that it was the general opinion in the town that admission into the school ought not to be restricted to residents in Louth. No other limitation, however, has been suggested. Many of those who gave evidence before us, objected that the mode of education adopted at the school, which is professedly directed to a subsequent university education, is too classical, and on that account not fitted for persons intended to be brought up to trade and commercial pursuits. We give no opinion on this subject; but it appears to us that the corporation do their duty, according to their conception of it.

Boys intended for trade are not usually sent to this school. A free school has been established in Louth, where the system of education is chiefly what is usually called commercial. There are 20 free boys, and about 50 others, of whom about 30 are boarders. The scholars are chiefly sons of farmers in the neighbourhood. There are also several private schools in Louth, and a national school containing on an average about 300 children. The Methodists have a large Sunday school, as have also the Baptists and Independents. On the whole it appears that all the children in the town enjoy opportunities of being educated.

Licenses.

There are 27 public-houses in the town, none of which belong to the corporation in their own right, or to individual members of it. One of them belongs to the corporation as guardians of the school, and was built by them about 30 years ago, at which time the market was removed. This house was erected for the purpose of affording accommodation to persons resorting

resorting to the market. The rent is applied to the school fund. The public-houses appear to be well conducted.

Property.

The whole of the Property in the hands of the corporation is derived from the Crown, under the charters of Edward the Sixth and Elizabeth. The grant by the first named monarch is in trust for the school and the beadswomen; that of Queen Elizabeth is not subject to any trust. These two branches of the property of the corporation are usually distinguished as King Edward's rental, and Queen Elizabeth's rental. The bulk of both properties lies within 12 miles of Louth.

King Edward's Rental.

The property called King Edward's Rental consists of houses and lands, and of the profits of the fairs and market. The amount of the whole in the year 1831–2 was 714*l.* 8*s.* 5*d.*

The following is an analysis of the rental:

	£.	s.	d.
Houses and premises at Louth, and tolls of sheep, pigs, stock, &c. (called the Upper Tolls)	155	–	–
Tolls of corn, cattle sold, &c. and pickage and stallage, &c. (called the Lower Tolls)	90	–	–
Houses and lands	469	8	5
£.	714	8	5

Besides the market granted by the charter of Edward the Sixth, a market for sheep, cattle and pigs, but chiefly for lean sheep, which had been formerly held at Saltfleet, was removed to Louth more than 30 years ago. The charge for penning sheep was formerly 1*s.* a score; was afterwards raised to 1*s.* 6*d.*; and is now 2*s.* A memorial was presented by some of the inhabitants against the increase. It does not appear to be a higher rate than what is usually charged in other markets.

In addition to the ordinary income, arising from the rental as stated above, the sum of 119*l.* 12*s.* 10*d.* was received in the year in question for gravel dug in lands belonging to the school property.

Debt.

The sum of 220*l.* has been raised by the corporation by loan, for the purpose of erecting a barn, stables, and various other new buildings upon the estates for the permanent improvement thereof; 40*l.* was paid in the year 1831-2, in liquidation of this debt; and it is expected that what remains to be sold of the bed of gravel will be about sufficient to pay the remainder. The lands, both of this and Queen Elizabeth's rental, are generally let from year to year by private contract. The tenants are seldom changed, and none of them are members of the corporation. We find no reason to doubt that the property is let at its full value. The gravel pit is managed by a person appointed by the corporation, who yearly accounts to them for the gravel sold.

Application of the Rents.

By a decree in Chancery about the year 1704, the proceeds of these estates, after deducting expenses, were directed to be paid in the following proportions: Half to the head master of the school, a quarter to the under master, and the remaining quarter to 12 beadswomen. This distribution is regularly made. The account for the year 1831-2 stands thus:

	£.	s.	d.	£.	s.	d.
Amount of the rental				714	8	5
Gravel sold				119	12	10
				834	1	3
Payments for land-tax, repairs and other expenses incident to the property	148	6	7			
Ditto - in liquidation of the debt	40	–	–			
				188	6	7
Paid to the head master one-half	322	17	4			
— to the under master one-quarter	161	8	8			
— to the 12 beadswomen one-quarter	161	8	8			
				645	14	8

Accounts.

The two masters of the school always attend on the examination of the Accounts by the corporation.

Queen Elizabeth's Rental.

The property contained in the Rental of Queen Elizabeth consists of houses, a theatre, other buildings, gardens, lands, fee-farm rents, rents of assize, and a rent-charge. The sum total of the rental for the year 1831-2 was 972*l.* 15*s.* 5*d.* This amount is made up as follows:

	£.	s.	d.
Houses, buildings and land	946	1	9
Fee-farm rents	21	4	10
Rents of assize	–	8	10
Rent-charge	5	–	–
	972	15	5

LOUTH.

We have not been able to ascertain the exact number of acres of land. The property at the time of the grant by Queen Elizabeth, appears to have produced little, if any thing, beyond the fee-farm rents, and other payments reserved and made payable thereout. It has been raised to its present amount by the increased value of property in general, by the erection of new houses and other buildings, and the improvements effected by the corporation and their lessees. The property is generally let from year to year; and a practical farmer is employed by the corporation to attend to its general state; and is consulted as to the amount of the rents. A brick yard is held on a lease for 21 years from Lady-day 1826, at a rent of 26*l.* 5*s.*; and a cottage for the same term from Lady-day 1823 at 2*l.* 2*s.* rent. Some few leases for long terms are still in existence, among which about four are building leases. The amount of the rent on these long leases is 100*l.* 9*s.* 2*d.*; several of them will end between 20 and 30 years from the present time.

The rents are collected and the accounts kept by the town clerk, as the accountant of the corporation. Payments are made by him of bills previously allowed by the corporation if above 10*l.*, or by the warden if under that sum.

Debts.

The corporation have raised since the year 1789, the sum of 3,336*l.* by granting annuities to the amount of 303*l.* 7*s.* 6*d.* The annuitants are ten in number, of whom one is 86 years of age, three are between 70 and 80, four between 60 and 70, one 50, and one 32. 1,636*l.* were raised to liquidate existing debts; 100*l.* was part of a balance in the hands of the accountant; and the remainder was required for defraying the expense of buildings, among which were a new guildhall, and additions made to a house, called the Mansion-house; which is not (as the name may seem to import) the residence of the chief magistrate; but is used for corporate and other meetings, balls, &c. The sum of 400*l.* was raised in 1789; and all the other sums between 1816 and 1832 inclusive.

Property sold.

Within the period from the year 1787 inclusive to the present time, the corporation have sold property to the amount of 831*l.* 19*s.* 10*d.*, with a reservation of 17*s.* 1*d.* fee-farm rents. The first sale in 1787 was of a messuage and shop, with a yard and garden, for 200*l.*, and a fee-farm rent of 5*s.* A piece of ground was sold in 1802 for 200*l.*, and a fee-farm rent of 6*d.*, and another piece of land, in 1820, for 103*l.*, and a fee-farm rent of 7*s.* 6*d.* The other sales are all of small pieces of land for different prices, the highest only amounting to 76*l.* 1*s.* 1*d.* In 1831–2, they transferred mortgages on the tolls of the Louth Navigation of 1,800*l.* This sum had been advanced by the corporation, for the purpose of completing the navigation, to which the increase and improvement which have of late years taken place in Louth appear to be in a great degree attributable. In order to effect this object, they were under the necessity of borrowing largely upon corporation bonds; and having never been able to pay the debts so contracted, they at length resolved to transfer the mortgages for that purpose. The sum of 1,750*l.*, with interest due on these bonds, has been discharged by the money so raised.

It appears by an entry in the books in the year 1781, that the corporation then resolved to subscribe 1,000*l.* towards establishing a woollen manufactory in or near the town. As they actually did, in the year 1787, establish the manufactory, there can be but little doubt that the first sale mentioned above as having taken place in that year, was for the purpose of investing the money in this undertaking. It is known that the proceeds of the next three sales, amounting to about 150*l.*, were applied to that purpose. The business was carried on by the corporation for only a very short time, probably not much more than a year, and it was a losing concern. It is considered, however, that great benefit has been derived by the town, from the establishment in their own immediate neighbourhood of a new market for the long and coarse wool of the large flocks of sheep which are fed on the lands surrounding the town. Upwards of 100 persons are now regularly employed at good wages in the carpet, rug, blanket and worsted manufactories which have grown out of this undertaking of the corporation. The next two sums of 30*l.* and 200*l.* are accounted for, as having been applied to the making of a new pig and sheep market. The next considerable sum, raised in 1818, 52*l.* 10*s.*, was laid out in the improvement of a house and premises belonging to the corporation. In 1820 the sum of 103*l.*, raised by the sale of a piece of land, was expended in the public celebration of the accession of King George the Fourth. The last sale in 1828 was of a piece of land to the parish, for the enlargement of the burial-ground; the price paid was 59*l.* In the same year, the last charter granted by King George the Fourth, was the occasion of an expense of more than 300*l.* having been incurred by the corporation. The produce of all these sales have thus been always applied to purposes beneficial to the town, unless indeed the *rejoicings at the coronation* should by any be considered an exception. It appears that for more than fifty years no member of the corporation has received any grant, or obtained a beneficial lease of any of the corporation property. At present one of the assistants rents a paddock of the corporation, but it contains only five roods of land, and he pays a rent of 6*l.* a year.

The following statement of the Expenditure of the corporation in the year 1831–2, was given in by the town clerk.

Expenditure.

	£.	s.	d.	£.	s.	d.	£.	s.	d.
According to the last audited account, from Lady-day 1831 to Lady-day 1832, the gross amount of rents payable to the corporation, and described as Queen Elizabeth's Rental, was	-	-	-	972	15	5			
After deducting a rent-charge payable out of lands at Aisterby, under the will of Anthony Acham, and paid over to the churchwardens of Louth, as Acham's dole	5	-	-						
Also a rent-charge, payable to the poor of North Somercotes, out of lands said to be formerly Hardy's, and paid at Christmas yearly, through the overseers of North Somercotes. Amount	5	4	-						
				10	4	-			
Gross amount of Queen Elizabeth's rental	-	-	-				962	11	5
DEDUCTIONS (annual).									
Fee-farm rent reserved to the Crown, and now payable to Sir John V. B. Johnstone	-	-	-	84	-	-			
Land tax in Louth	-	-	-	8	17	-			
Land tax, Dyke river drainage, and sundry allowances as per book	-	-	-	14	1	2			
Annual allowance to the warden	-	-	-	50	-	-			
Reserved rent to the high steward	-	-	-	1	6	8			
Ditto to the bailiff	-	-	-	3	6	8			
Ditto, and salary to the town clerk	-	-	-	12	9	6			
Rent of Ming Land paid to the trustees of the school	-	-	-	-	10	3			
Insurance of buildings from fire	-	-	-	5	2	-			
EXPENSE OF COLLECTING RENTS.									
Receiver's salary	20	-	-						
To Mr. Parr and Mr. Heath, for superintending the state of the land; Parr 5*l.*, Heath 5*l.* 5*s.*	10	5	-						
Dinners, &c. to the tenants	8	13	9						
				38	18	9			
Annuities payable, pursuant to bonds given by the corporation on borrowing money for rebuilding corporation houses, erecting additional buildings on the estates, providing sessions-house, &c.	-	-	-	292	17	6			
Annual payment of 10*s.* each to 20 poor widows, under will of late Miss Phillipson, dated 9th July 1801	-	-	-	10	-	-			
Annual subscriptions towards support of the police, the public dispensary, national schools, Benevolent Society, Thursday evening lecture and Church Missionary Society	-	-	-	56	9	-	577	18	6
							384	12	11
To annual amount of grave rents	-	-	-	-	-	-	13	16	1
To interest on mortgage of tolls upon the Louth turnpike, 415*l.*, at two per cent.	-	-	-	-	-	-	8	6	-
Ditto on ditto, Wragby turnpike, 230*l.*, 4 per cent.	-	-	-	-	-	-	9	4	-
To interest on loan of 180*l.* remaining due from the school	-	-	-	9	-	-			
Deduct allowance of interest on 97*l.* 8*s.* 3*d.*, the Louth School Exhibition Fund, vested in the corporation	-	-	-	4	17	3	4	2	9
Disposable income of the corporation £.	-	-	-	-	-	-	420	1	9

The surplus or disposable income is applied (after paying thereout the necessary sums for extraordinary repairs and building messuages, &c. upon the estate) in prosecuting public improvements, subscriptions for national or local purposes, and incidental payments. A more detailed account of the receipts and expenditure of the year accompanies the report; but it cannot be made use of to so much advantage for the elucidation of the financial state of the corporation as the above written statement, from the circumstance of its containing many receipts and payments of an occasional nature, and which will not affect the future finances of the corporation. Indeed they have been placed by the transfer of the mortgages, paying

paying of bonds, &c. in new relations as to money matters. The town clerk's statement appears to us to be fairly and correctly drawn, and we can discover no better means of explaining the state of the corporation finances than by referring to it, and commenting on its contents.

It will be perceived on an inspection of the account, that all the permanent annual payments which are regularly made by the corporation are deducted from the amount of the receipts, and the remainder is considered to be a sum disposable for the general purposes of the corporation. This sum in the present year is 420*l.* 1*s.* 9*d.* It has never been so large in any preceding year. This is imputed in part to the death of some annuitants, and partly to economical arrangements of the corporation. Formerly there were four corporation dinners every year; afterwards they were given up altogether for some years; and at present only one dinner is given yearly. It has been ascertained that the sums expended in these entertainments for the last 15 years have not exceeded 30*l.* a year. A large part of the expenditure in the account is for fee-farm rents, rent-charges, land-tax, repairs, &c. incident to the property. The salaries, &c. paid to the warden, high steward, bailiff and town clerk, amount to 67*l.* 2*s.* 10*d.*; in addition to this the warden receives certain very small sums charged on different properties under the name of provision rents, and being in fact payments in lieu of neat's tongues, fat hens, fat turkeys, capons and asparagus. The payment of 10*l.* to poor widows under Miss Phillipson's will has been already adverted to; the will, dated 9th July 1801, gave a legacy of 200*l.* upon trust for the warden to distribute annually at Christmas, the interest to 20 poor widows or single people. The annuities on the bonds is stated in the account at 292*l.* 17*s.* 6*d.* We have already shown that the amount of annuities now payable by the corporation is 303*l.* 7*s.* 6*d.*; the difference arises from the last annuity 10*l.* 10*s.* having been granted July 12th 1832, subsequent to the account. The yearly payment of 56*l.* 9*s.* for the police, dispensary, &c. it will be seen is made for purposes useful and beneficial to the town. The Louth school exhibition fund mentioned in the last item of the accounts, is formed from the surplus of receipts at a public speech-day of the scholars of the free school, and a ball in the evening, and is intended to assist any scholar of superior talent, who is deemed a proper object of the fund by the head and under master of the school and the warden for the time being, during four years' residence as an under-graduate at Cambridge or Oxford. The present amount of the fund is 97*l.* 8*s.* 3*d.* Interest at 5 per cent. is accumulated upon it when no scholar is appointed. The surplus or disposable income (says the town-clerk) is applied, after paying thereout the necessary sums for the repairs and rebuilding of messuages, &c. upon the estates, in promoting public improvements, subscriptions for national and local purposes, and incidental payments.

From a statement delivered to us of the payments from the corporation funds, being the appropriation of surplus income, after paying regular annual subscriptions to police, dispensary, national school, benevolent society, Thursday evening lecture, Church Missionary Society, &c. &c. from 1816 to 1832, it appears that the corporation have, during that period, expended the sum of 4,961*l.* 14*s.* 4*d.* on objects of a beneficial public nature. As the amount of what is called the disposable fund does not appear to have much exceeded 200*l.* per annum during this period, this expenditure will account for some part of the debt which has been incurred in the course of those years. We shall endeavour to show the character of these disbursements by selecting from the Accounts all the items exceeding the amount of 50*l.*, and making some observations respecting them.

	£.	s.	d.
Building a new Guildhall	1,461	–	11
Subscriptions and payments for affording employment and relief to distressed poor	67	10	–
Subscriptions for improvements on the public roads	110	10	–
Subscription towards new fire-engine house	52	10	–
Payments to constables and watchmen for extra service	83	2	–
Expenses on an improved public bridge over the river Lud	250	–	–
Subscription towards expense of Improvement Act	150	–	–
Expenses in obtaining charter	470	–	–
Expenses in celebrating the accession of King George IV. and King William IV. by giving bread, feasts, &c.	103	10	1
Expended in rebuilding and enlarging houses belonging to the corporation	1,324	17	–
In repairing, &c. assembly rooms and rooms dedicated to public purposes	469	3	2
Paid for interest in the Guildhall when used as a theatre	100	–	–

It will be observed that some of these items have been already referred to. (*See* Debts.)

The new Guildhall was built about the year 1815, and it was suggested to us that an accommodation which had been previously enjoyed by the women who resorted to the market to sell butter was then taken away. It was admitted on the part of the corporation that the old Town-hall had stood over a place called the "Butter-cross;" and that both this hall and cross were pulled down together. It was, however, stated that the cross only afforded very poor accommodation for about 10 people, as it would merely shelter them from perpendicular rain. The town clerk added that he believed there had been a payment of a penny a stall for selling butter. The market has been enlarged by the site of the old hall having been thrown into it, but the butter women have now no covering.

The expenses incurred in respect of building a bridge over the river Lud arose thus. The county was bound to rebuild the bridge; and they advanced 300*l.* for that purpose. The corporation

corporation contributed 250 *l.* for obtaining the advantage of a better bridge than could have been built for the sum granted by the county. In consequence of this advance the bridge has been made broader and more secure.

The income of the corporation has considerably increased of late years. What is called the disposable income was very small till within the last 20 years. It did not exceed 165 *l.* sixteen or seventeen years ago. Debts have been paid off every year.

Accounts.

The Accounts of the receipts and expenditure of the accountant are audited annually by the corporation. Certain small payments called grave rents, to which the corporation are liable, being very numerous, are not collected annually. The accounts are never published nor open to the inspection of the inhabitants.

Paving and Lighting Rates.

The commissioners under the Improvement Act appoint a clerk, surveyor of the roads and treasurer. The town clerk holds the office of clerk to the commissioners, and one of the assistants is treasurer, but he was not an assistant when he was appointed treasurer. Two rates are made and collected every year; one called the paving and the other the lighting rate. From the first, the expenses of paving and repairing the streets and roads, repairing pumps, and watching are paid; and from the other those of lighting, repairing lamps and general improvements in the town. The following is an account of the receipts and expenditure under both rates from the year ending 11th October 1832.

GENERAL STATEMENT of the INCOME and EXPENDITURE of the Commissioners acting under the Act of Parliament for paving, lighting, &c. the town of *Louth*, between the 10th day of October 1831 and the 11th day of October 1832.

Under the Paving, &c. Rate.

INCOME:	£.	s.	d.	£.	s.	d.	£.	s.	d.
Balance in the treasurer's hands on audit of the last year's account							66	7	6½
Received on account of the rate for the year commencing Michaelmas 1831							881	10	5½
Ditto on account of arrears of former years							52	2	8
Ditto for frontage, sweeping, &c.							1	4	6
Ditto for old wood and chains sold							1	4	–
Gross amount of rate, 1831 to 1832				1,029	5	10			
Received as above	881	10	5½						
Received since the annual statement was made up	64	6	6½						
Rates on empty houses, whole year	40	3	4						
Rates on houses empty part of the year	18	14	4½						
Rates unpaid	24	11	1½						
				1,029	5	10			
						£.	1,002	9	2

EXPENDITURE:	£.	s.	d.	£.	s.	d.
Payments for interest of monies borrowed on credit of rate						172 10 –
Gravel and sand	157	8	6			
Pebbles and breaking	5	4	10			
				162	13	4
Team labour				176	13	9
Day labour				150	13	6
Paving				39	16	3
Scavenger	9	9	–			
Street sweeping	7	16	–			
Besoms	1	2	6			
Scavenger's cart repairing	1	9	9			
Cleaning sewer in Spout yard	1	6	–			
				21	3	3
Tunnels, making and repairing				3	2	5
Bricklayer's work and materials						
Blacksmith's work, for tools and repairing of tools, grates, &c.				6	18	4
Carpenter's work, and frames for grates, &c.				3	8	7
Pumps repairing				–	19	3
Constables, for watching, &c. to 11th November				27	6	–
Printing and stationery				3	3	9
Incidental expenses				10	15	–
Officers' salaries				60	–	–
Balance in the treasurer's hands	132	5	8			
Ditto – – surveyor's ditto	31	–	1			
				163	5	9
			£.	1,002	9	2

LOUTH.

Under the Lighting, &c. Rate.

INCOME:

	£.	s.	d.	£.	s.	d.
Balance in the treasurer's hands on audit of the last year's account						
				15	12	5½
Received on account of rate for the year commencing Michaelmas 1831				501	19	9
Ditto on account of arrears of rates of former years				36	2	5
Incidental receipts, viz. a fine				–	10	–
Gross amount of rate, 1831 to 1832				617	9	2
Received as above	501	19	9			
Received since the annual statement was made up	50	13	4			
Rates on houses empty whole year	30	17	4			
Rates on houses empty part of the year	15	8	10			
Rates unpaid	18	9	11			
				617	9	2
			£.	554	4	7½

EXPENDITURE:

	£.	s.	d.	£.	s.	d.
Payments for interest of monies borrowed on credit of rates				57	10	–
For land for improvements				17	1	–
To the Gas Light Company, ½ year to June 1831, and interest thereon	251	8	4			
Ditto ditto on account of ½ year, to December 1831	100	–	–			
				351	8	4
Ditto ditto for repairs of lamps, &c. to October 1831	9	6	6			
Ditto ditto for repairs of lamps, painting lamp-posts, &c.	22	6	–			
				31	12	6
Ditto ditto for pipe, lamp and fixing, &c.				10	8	6
Balance in the treasurer's hands				86	4	3½
FLOATING DEBT:	£.	s.	d.			
To the Gas Light Company, due December 1831	134	16	8			
Ditto ditto May 1832	243	11	–			
				378	7	8
For land purchased for improvement				18	15	–
For interest of money				7	10	–
			£.	404	12	8
				554	4	7½

State and Prospects of the Town.

The parish of Louth contains the land stated below:

Extent.

	A.	R.	P.
Arable	1,164	3	6
Meadow	527	1	22
Pasture	791	–	13
Covered by the Town	77	2	24
	2,560	3	25

Population.

The Population was, in

1801	4,236
1811	4,728
1821	6,012
1831	6,927

Of whom 3,243 were males, and 3,684 females.

The families then employed in Agriculture were	186
Trade and manufactures	657
Not comprised in either class	625

Assessed Taxes.

The Assessed Taxes for the year 1832-3 were 2,004*l.* 11*s.* 6¾*d.* exclusive of 86*l.* 10*s.* 6*d.* game duties.

Parochial Assessments.

The Parochial Assessments for years ending 25th March, were

1825	£. 2,041 16 –
1829	2,509 6 –

In 1832 the gross amount of property assessed to the poor was 12,304 10 –

The poor's rate in the year 1831-2 was	£. 3,396 4 2
church rate	449 15 –

The

General Observations.

The town of Louth, being situate in the centre of an agricultural and grazing district, has been much affected by the general depression of agriculture which has now been going on for many years; and appears to have been aggravated in this district by unfavourable seasons. This depression is considered to have existed, almost without intermission, since the year 1826.

The state of education in the town has been already adverted to in the account given of the grammar school.

By means of a navigable cut from Louth to the river Humber considerable business is done in the export of corn and wool to the Yorkshire and London markets; and in the import of coals, stone, grocery, &c.

This navigation has added greatly to the trade and importance of the town.

The woollen manufactories have been already mentioned. There is a paper manufactory in the town. The poor's rates in the last year were 6*s.* in the pound on a half rental. The wages of labour appear to vary from 8*s.* to 13*s.* a week, and the average is supposed to be 12*s.* Bankruptcies seldom occur here. The appearance of the town is very respectable. A great many societies have been established for religious and charitable purposes, and for the diffusion of knowledge. A society called the "Provident Society" has been formed, chiefly by the exertions of a gentleman who is one of the assistants, for the purpose of encouraging providence and forethought among the labouring classes.

Local Acts.

The only local Acts affecting Louth are those which have been already mentioned under the heads "Court of Requests" and "Police."

Documents.

The following Documents accompany the Report:

1. A translation of the charter of Edward the Sixth.
2. Printed translations of the first four charters, and a copy of the fifth, corrected by the town clerk.
3. A list of the officers of the corporation.
4. A table of fées taken by the clerk of the peace.
5. An account of the course of study pursued in the grammar school.
6. The rentals of the corporation.
7. An account of permanent debts.
8. Ditto, of property sold within the last fifty years.
9. The corporation accounts for 1831-2.

Geo. Long.

John Buckle.

REPORT

ON

THE BOROUGH OF KING'S LYNN,

(NORFOLK.)

CONTENTS.

	Page.
I. Limits, Extent and Population -	2389
II. Incorporation and Charters -	2389
Prescription - - - -	2389
Charter of John - - - -	2389
Confirmation by Bishop of Norwich	2389
Charter of Hen. III. A. R. 17 -	2389
„ „ 39 -	2389
„ „ 52 -	2389
Edw. I. „ 9 -	2390
„ „ 33 -	2390
Edw. II. „ 6 -	2390
Edw. III. „ 9 -	2390
Hen. V. „ 4 -	2990
Hen. VIII. „ 16 -	2390
„ „ 29 -	2391
Edw. VI. „ 2 -	2391
1 & 2 P. & M. - -	2391
4 & 5 P. & M. - -	2391
Jas. I. - „ 2 -	2392
Car. II. „ 17 -	2393
„ „ 36 -	2393
Geo. II. „ 11 -	2393
III. Corporate Body and Constitution	2393
Title - - - - - -	2393
Enumeration of Officers and Freemen - - - - -	2393
Official Body	
1. Officers composing the Governing Body - - - -	2393
Mayor - - - -	2394
Aldermen - - -	2393
Common Councilmen -	2394
2. The Governing Body - -	2395
Functions; Electoral -	2395
Legislative -	2395
Administrative	2396
3. The High Steward - - -	2397
4. Officers connected with the Jurisdiction - - - -	2397
Recorder - - -	2397
Town Clerk - - -	2397
Coroners - - - -	2398
Gaoler - - - -	2398
5. Officers connected with the Revenues and Funds - -	2398
Treasurers - - -	2398
Town Chamberlain - -	2398
Collector of Town Dues -	2398
Tolls - -	2398
Treasurers of the Hospitals	2398
Framingham's - -	2398
St. James's - - -	2398
Gaywood - - -	2398
Wesleyan, or Smith's Almshouses - -	2398
6. Officers connected with the Port and Harbour - - -	2399
Haven Master - - -	2399
Water Bailiff - - -	2399
Beaconer - - -	2399
7. Official Serjeants - - -	2399
Serjeants-at-Mace - -	2399
Sword Bearer - - -	2399
Common Crier - - -	2399
Mayor's Beadle - -	2399
8. Freemen:	
Title to Admission - -	2399
1. Birth - - - -	2399
2. Apprenticeship - -	2399
3. Gift, and 4. Purchase - - -	2399
Privileges - - - -	2400
Present Extent of the Franchise, and Condition of the Freemen - - -	2400
IV. Jurisdiction, Nature and Extent	2401
Magistracy - - - -	2401
Local Courts: 1. Sessions; Quarter - - - -	2401
Petty -	2402
2. Guildhall - -	2402
3. Admiralty - -	2403
4. Leet - - -	2404
5. Pie Poudre - -	2404
6. Of Requests - -	2404
Police - - - - -	2405
Gaol - - - - -	2405
Licenses - - - -	2406
Poor - - - - -	2406
Reasons for an Extension of Boundary - - - -	2406
V. Patronage:	
Master of Grammar School - Lecturer of St. Margaret's (see Charities.)	2406
VI. Property:	
1. Manor of King's Lynn -	2406
2. Lands - - - -	2407
3. Houses and Buildings - -	2407
4. Tolls - - - - -	2407
Town Dues - - -	2407
Up-river - - - -	2408
Petty - - - -	2408
Wharfage - - - -	2409
Market - - - -	2409
Flour - - - -	2410
Metts - - - -	2410
5. Cattle Market - - -	2410
6. Mart Rents - - -	2410
7. Stock in Public Funds - -	2410
8. Local Securities - - -	2410
Summary of Revenue - -	2410
Charges and Liabilities - -	2411
Debts - - - -	2411
Charities - - - -	2412
Expenditure: Ordinary - -	2412
Extraordinary -	2414
Alienations - - - -	2415
Financial Prospects - - -	2415
VII. Funds and Revenues specifically appropriated - - - -	2415
1. Water Rents - - -	2415
2. Stallage Rents - - -	2417
3. Hospital Revenues - -	2417
Gaywood - - -	2417
Framingham's - - -	2417
St. James's - - -	2417
Wesleyan, or Smith's Almshouses - - -	2418
4. Miscellaneous Charities -	2418
VIII. State of the Town - - -	2423
Population - - - -	
Occupation - - - -	
Houses - - - - -	
Parliamentary Constituency -	
Property - - - -	
Local Taxation - - -	
Trade - - - - -	
Local Acts - - - -	2424
IX. Summary and Observations -	2425
X. Documents - - - -	2427

BOROUGH OF KING'S LYNN.

I. LIMITS, Extent and Population.

THE municipal borough of King's Lynn is co-extensive with the two parishes of Saint Margaret's and South Lynn All Saints, and includes the whole of the town. North Lynn and West Lynn, which are on the opposite side of the River Ouse, form no part of the borough. A small portion of West Lynn, 20 A. 2 R. 21 P. in extent, lies within the external municipal boundary, without being subject to the corporate jurisdiction. This has been added to the new parliamentary borough.

The town is divided, for the purposes of police, into 10 wards, each of which has a presiding alderman, who appoints a deputy among the common councilmen.—(*See* "Court Leet." "Police.")

The boundary of the waters, over which the corporate jurisdiction extends, will be stated under the head of "Admiralty."

This borough includes an area of 2,620 statute acres, and contains a population of 13,370 inhabitants.

II. INCORPORATION and CHARTERS.

Prescription.

King's Lynn, formerly called Bishop's Lynn, is a borough by Prescription.

Charter of John.

Its first Charter was granted by King John, at the request of John, second bishop of Norwich. Under the name of "Lenn," it was made a free borough for ever, with soc and sack, toll and theme, infang theft and outfang theft.

The following privileges were conferred on the burgesses:—

That through all the King's land, and in every sea port, they should be exempted from toll, lastage passage, paage, pontage, stallage, liene of dangeld, and every other custom, saving the liberty of the city of London:

That they should do no suit in counties for tenures within the borough:

That none of them should be impleaded out of the borough, of any plea other than the pleas of foreign tenures:

That they should be quit of murder within their liberties, and that none should make duel:

That of pleas belonging to the Crown, they might direct themselves according to the custom of Oxford, and that none should take entertainment by force, although by assignment of the marshal:

That in no plea should there be molkeinga:

That the hustings should be held once a week only:

That they should have a merchant's guild, and justly have all their lands, tenures, pledges and debts, whoever the debtor might be:

That of their lands and tenures within the borough, right should be done them, according to the law and custom of Oxford; and that of all their debts contracted in the borough, and of all their pledges there taken, pleas might be there holden:

That if any in all England should take toll or custom from the burgesses (except the city of London), their chief officer should take "naam" at Lenn:

That merchants arriving with their merchandize, of whatsoever place they might be, if they were of the King's peace, as coming into his land with his license, might stay and return in safety and peace, on paying the customs of the borough.

All persons were forbidden to injure or molest the burgesses, under a penalty of 10*l.*

The King further ordered that, if disputes arose among the burgesses, as to their rights and privileges, they should send their messenger to Oxford; and whatever the burgesses of Oxford should adjudge, that was to be accounted authentic and firm; saving always to John Bishop of Norwich, and his successors, and to William Earl of Arundel, and his heirs, the liberties and customs which they anciently had, and ought to have, in the town of Lenn.

This charter is dated at Suthegarshall, the 14th day of September, in the sixth year of the reign.

Confirmation by Bishop of Norwich

It was afterwards confirmed by the Bishop of Norwich, on the 4th April, in the fourth year of his translation, when he granted and confirmed to the town all the liberties and privileges enjoyed by the burgesses of Oxford.

Charter of Hen. 3 A. R. 17.

It was again confirmed by Henry III. in the 17th year of his reign.

Second Charter of Hen. 3. A. R. 39.

By a subsequent charter, he granted to the burgesses an exemption from arrest, both for themselves and their goods, in those cases where they were not either sureties or principal debtors, unless they happened to be members of a company or guild, having power to discharge the debt.

This charter is dated the 14th of April, in the 39th year of his reign.

Charter of Hen. 3. A. R. 52.

A third charter of Henry III. recites both the original charter of King John, and also a charter of the Bishop of Norwich, and his chapter, which conferred on the burgesses the privilege of choosing a mayor; and the King confirms this grant of the bishop and chapter.

The date of this charter is the 26th March, A. R. 52.

Confirmation by 9 Edw. 1.

Edward I., in the ninth year of his reign, confirmed the charter of John, and the last of Henry III.

Confirmation by 33 Edw. 1. with further privileges.

In a second charter, dated the 1st April, in the 33d year of his reign, Edward I. granted a merchant's guild, with the following additional privileges: that the burgesses should neither sue nor be sued without the borough; that they should be tried only by their fellow burgesses; that they should not be summoned on juries out of the borough; and that they should be empowered to distrain for tolls.

Confirmation of privileges by Charter of Edw. 2. A. R. 6.

Edward II. confirmed to them their freedom, liberties, free customs and acquittances, saving the rights of the Bishop of Norwich. This charter is dated the 16th of May, in the sixth year of his reign.

Charter of Edw. 3. A. R. 9.

Edward III. empowered the mayor and burgesses to defend their town against enemies, and to assess the inhabitants for its defence.

He also granted to them the privilege of proving their wills before the municipal authorities, and of registering them in the Guildhall Court.

By the same charter, their ships were privileged from arrest for the debts of other persons.

This charter is dated in the ninth year of the reign.

Charter of Hen. 5. A. R. 4.

A charter of Henry V. recites and confirms the ancient customs observed in the election of the corporate officers. The customs were these:—

The burgesses were summoned, on the eve of Saint John's-day, to meet on the following day, with the mayor and jurats, for the purpose of electing a new mayor, and other annual officers. On Saint John's-day, the aldermen of the guild of the Holy Trinity chose four of the most honest and worthy and sufficient burgesses, not being jurats, which four chose eight others of their fellow burgesses, and then the twelve, after being sworn, chose one of the twenty-four jurats to be mayor.

After this they proceeded to elect a chamberlain, common clerk, serjeants at mace, seal-keepers, a bellman and waytes. These officers were not necessarily burgesses.

In case of the death, resignation or removal of a jurat, the vacancy was to be filled by the mayor and remaining jurats, from the most worthy, honest, discreet and sufficient burgesses, in the presence of the whole body, duly summoned for that purpose, and the jurat so chosen was to continue an officer for life.

In case of the mayor's death, the aldermen of the Trinity guild were appointed to execute the office during the remainder of the year.

And if the coroners and constables resigned their offices, or were removed, the mayor, after calling the burgesses together, was to nominate four, who again nominated three others, by whom the vacancies were supplied.

This charter is dated on the 2d of June, A. R. 4.

Till the reign of Hen. VIII. the elections of corporate officers appear to have been regulated by these customs.

First Charter of Hen. 8. A. R. 16.

In the 16th year of that reign a new charter was granted, establishing the present municipal constitution.

The name of incorporation was changed from "The Burgesses of the Borough of Lenn Bishop," to "The Mayor and Burgesses of the Borough of Lenn Bishop." The corporate officers named are—a mayor, twelve aldermen, eighteen common councilmen, a recorder, a common clerk, nine constables, two coroners, four serjeants at mace, and a clerk of the market.

The first mayor and the first twelve aldermen were appointed—the aldermen to hold their office for life, subject to amotion. The mayor and aldermen were jointly empowered to choose eighteen "sufficient and discreet burgesses" to form a common council; and this common council was to fill up any vacancies that occurred in the body of aldermen, and annually to elect the mayor. The aldermen were to be selected from the burgesses, and the mayor from those aldermen who had not served the office within five years.

The mayor was appointed clerk of the market, with permission to execute the office by deputy, and all other clerks of the market were forbidden to intermeddle within the borough.

The mayor and aldermen were further empowered to remove the common councilmen for the commission of any offence, and to appoint the following officers—a recorder, "learned and skilful in the laws;" a lettered clerk of the borough, or town clerk, to register all records, causes, statutes, laws and mandates; a sword-bearer, to carry a sword sheathed before the mayor; two coroners, who were to be "fit persons," chosen among the burgesses, and to exercise an exclusive jurisdiction within the liberties; nine constables, also chosen from the burgesses; and four serjeants at mace. The survey of the waters from Saint Edmund's Ness to Staplewear, with the regulation of the nets, and other similar matters, was intrusted to the same body.

The mayor and aldermen, jointly with the common councilmen, were empowered to create burgesses at their discretion; and it was ordered that none should be a burgess till he had been nominated, elected and made by them.

They were also authorized to make statutes and laws for the government of the town, and to tax the inhabitants for its safeguard and defence against the violent raging of the waters, and for other necessary purposes. The charter specially provides that the laws, ordinances and statutes made by the corporation, and the taxes and subsidies levied, should not be to the prejudice or charge, or in derogation, of the Bishop of Norwich.

The

The immunities granted to the burgesses, after a confirmation of their exemption from tolls, were exemption from compulsory service upon any assizes, juries, attaints, recognizances or inquisitions, out of the borough; and from compulsory service in the several offices of sheriff, justice, coroner, escheator, assessor, crier, surveyor, constable, bailiff, comptroller or collector of the King's taxes, without the borough, as long as they dwelt within. They were also exclusively privileged to trade within the borough, except during the fair.

Lastly, the mayor and burgesses were permitted to have a prison for the safe keeping of all persons who were taken or attached within the borough or its liberties.

This charter is dated on the 27th June, in the 16th year of the reign.

At this time the borough courts were held under the authority of the Bishop of Norwich.

Second Charter of Hen. 8. A. R. 29.

By a second charter, granted in the 29th year of the same reign, the administration of justice was placed in the hands of the corporation, and the present local courts were established. This is considered the second governing charter.

After reciting an Act for vesting in the Crown the temporalities of the see of Norwich, it changes the name of the borough from Lenn Bishop, or Bishoppe Lenn, to Lynne Regis, or King's Lynn.

The municipal constitution established by the last charter, and all the offices then enumerated, are confirmed. The mayor, with those aldermen who have been mayors, and the recorder, are appointed justices of the peace, and invested with an exclusive jurisdiction extending to all felonies.

A civil court of record is established, to be held twice a week before the mayor and recorder, or either of them, or the deputy of either, with the same powers as the town court held by the bishop.

A tolbooth court, to be held within the limits of the port by the same municipal officers, is also established, for hearing and determining as well offences committed on the water as civil pleas, where the cause of action has arisen on the water; and it is ordered that one or two "fit person or persons" be appointed to the office of water bailiff. The powers of the court are made as ample as when it was held by the bishop, and the local extent of its jurisdiction is defined.

A court leet and view of frankpledge is granted, with the assize of bread; and all the profits of these several courts, felons' goods, waifs and wrecks, are vested in the corporation.

The return of the King's writs within the liberties is given to the mayor and burgesses, and all sheriffs, bailiffs and ministers of the Crown are forbidden to execute them, unless it be in default of the mayor and burgesses. The serjeants at mace are appointed to execute the writs and precepts of the mayor, recorder and justices, and the King's sheriff is forbidden to intermeddle within the borough.

The corporation are also empowered to have cognizance of all pleas in the King's courts.

Fines and forfeitures within the borough are to be taken to themselves, paying 20 marks yearly to the exchequer.

Two annual fairs are granted, with their court of pie-poudre; and two weekly markets, with their tolls and profits.

And lastly, they are empowered to have a gaol within the borough.

Charter of Edw. 6. A. R. 2.

Edward VI. granted to the corporation the lands and other possessions formerly belonging to the guild of merchants of the Holy Trinity, and to the guild of Saint George the Martyr.

The rents and profits of these lands had been previously "expended for defence against the flowing of the sea, and repairing of the banks, creeks, bridges, walls, channels, fleetes and other such like things in King's Lynn aforesaid, without which the same town could not be maintained and defended against the flowings of the sea there."

By this charter they were granted to the mayor and burgesses, as a provision for the good state and defence of the town. They were then extended, at the yearly value of 37*l.* 19*s.* 7*d.*; and the rent reserved to the Crown was 13*l.* 16*s.* a year.

The personal property of the same guilds was given without account.

A license was also granted to purchase lands in mortmain to the value of 100*l.* a year.

This charter is dated the 21st May, in the 2d year of the reign.

First Charter of Phil. & M. A. R. 1 & 2.

In the 1st and 2d years of the reign of Philip and Mary the parish and hamlet of South Lynn was added to the borough, and subjected to the corporate jurisdiction during the pleasure of the Crown.

This addition was made by letters patent, dated the 27th of February.

Second Charter of Phil. & M A. R. 4 & 5.

In the 4th and 5th years of the same reign, the letters patent were declared void, and a new charter was substituted.

It appears from the recitals, that for the defence of the town against the fierceness and raging and flowing of the sea, a stone wall, 340 feet in length and nine feet in breadth at the foundation had been built in the north end of the borough, and maintained and repaired by the Bishop of Norwich from time immemorial; until by an exchange made between Henry VIII. and William the late bishop, the charges of repairing and maintaining the wall were transferred to the Crown. This wall, by the violence of the sea, had been nearly destroyed, so that the sea "spread abroad and poured in his waves within the said wall," and the whole borough was in danger of being overflown with the waters. The prevention of this damage, and of the "most lamentable future depopulation" threatened, being judged "agreeable and consonant to the princely functions," the King and Queen "mercifully compassionating the state of the borough," granted an extension of its rights and privileges, under the following condition:

KING'S LYNN.

The charge of rebuilding the wall, and the liability to repair it in future, and to protect the town from the inroads of the sea, was to be transferred from the Crown to the corporation; and as a compensation for this liability, their municipal limits were extended, and the lordship and manor of the borough were granted to their use.

The new boundary was to include the parish and hamlet of South Lynn, according to the previous letters patent, and all the inhabitants of the hamlet were withdrawn from the jurisdiction of the sheriff of Norfolk, who was forbidden from that time forward to enter or intermeddle with the hamlet.

The goods and chattels of felons, fugitives and outlaws, the court leet, view of frankpledge, and all other franchises and jurisdictions, were conferred on the mayor and burgesses, to be used and enjoyed, as in the old borough of King's Lynn.

An annual payment of 10*s.* was reserved to the Crown, in right of this grant, and in lieu of all other services.

The manor of King's Lynn, with all the rents and services issuing out of various lands and tenements in the borough, had become vested in the Crown by an exchange made with the Bishop of Norwich in the reign of Henry VIII. These, with the manor courts, were now granted to the mayor and burgesses, to hold by common socage, and as the manor of East Greenwich, in the county of Kent, was held. The manor was then extended, at the clear yearly value of 13*l.* 13*s.* 6*d.*; and this was the fee-farm rent reserved to the Crown.

This charter is dated on the 2d of October.

Charter of Jas. 1. A. R. 2.

By the charters of Hen. VIII. the corporation had acquired a local legislature and a local jurisdiction. By a charter of James I. they acquired the rights of admiralty.

The office of High Admiral of England had been previously granted by Queen Elizabeth to the Earl of Nottingham for the term of his life. The grant to the corporation was made subject to this life interest in the office.

The consideration for this extension of municipal power was "not only the good, laudable and acceptable services," which the mayor and burgesses and their "predecessors of famous memory and renown" had rendered to the Crown; but also "the great charge, cost and expense which they and their successors from time to time daily sustain for the maintenance and preservation of our borough aforesaid, against the flowing and reflowing of the sea, and the repairing of the banks, creeks, bridges, walls, channels, jetties and other like things there being, as for the building, repairing and sustaining of a competent number of sea-marks in certain places adjoining to our port of King's Lynn aforesaid, called Lynn Deeps, for the safe conduct of ships sailing thither and from thence, and do seem in all likelihood to sustain more and more hereafter."

All the profits incident to the office of admiral were granted "for the better support of the borough and port, and in defence of the same borough and port against the flowing and reflowing of the sea."

The limits of the admiralty jurisdiction are defined in the charter, and the jurisdiction declared exclusive. Piracies and all maritime offences concerning the loss of life or member are excepted.

The borough justices, or any two of them, (the mayor or recorder being one of the two), are empowered to enforce within their liberties the various statutes of forestalling on the sea, and against regrates; those of debarring nets, and for the preservation of fish.

The mayor and burgesses have the "correction and punishment of all and singular fishermen, being delinquents in the borough aforesaid, and liberties of the same, and in the port, limits and bounds aforesaid, or in any of them, part or parcel of them, and all their nets; and also full jurisdiction and power of holding pleas and courts aforesaid, of all actions, controversies and demands whatsoever, there, by reason of any thing or cause, concerning fishing, or the art of fishing, may arise by any means, according to the law and custom of our court of admiralty."

Anchorage, beaconage and other similar tolls are granted to the corporation, and these, under the name of Town Dues, now form a considerable source of their income.

This charter also grants wrecks of sea, floatsome, jetskom, lagan and deodand, within the limits of the borough and port; besides all manner of royal fishes; and all other incidents to the office of Admiral of England.

A provision is made, that the Admiral of England, or his deputy, and the ships, mariners and fisherman employed in the King's service, shall have liberty to enter the borough and port.

The charter commits to the mayor "the punishing and correcting of all and singular drunkards, and of all and singular whores, harlots, bawds, panders, and of all other lascivious and incontinent livers whomsoever, and also of all and singular dishonest and malicious brawlers, or wicked chiders, upon every occasion, every of which are named, or in English called scolds, within the borough aforesaid, or the liberties of the same, abiding or inhabiting, or being delinquents; as well by the verdict and presentment of twelve honest and lawful men of the borough aforesaid, for the time being, as other lawful ways and means, which to the aforesaid mayor, for the time being, shall seem to be most expedient."

The mayor, and all other aldermen who are magistrates, are authorized to arrest and imprison within their gaol, thieves and other malefactors; and to erect a gallows within the borough, to hang felons, murderers and other criminals.

The mayor and aldermen, jointly with the common council, are again empowered to make laws and ordinances for the borough, and to impose pains and penalties on all offenders against the laws and ordinances they have made.

A charter

First Charter of 17 Car. 2.

A charter granted by Charles II., in the 17th year of his reign, after reciting the previous charters of King John, of Henry VIII., of Edward VI., of Phil. and Mary, and of James, confirms the corporate privileges, and the existing constitution.

Horatio Lord Townshend, then high steward of the borough, is appointed chief steward for life.

The mayor, aldermen and common councilmen are empowered to impose and levy fines on those who refuse to serve the office of mayor, aldermen or common councilmen, and a limit is fixed for the fine.

Provision is made for electing another mayor within eight days, if the person elected should die, or refuse the office; and in case of illness, leave is given to administer the oath to him without attendance at the guildhall.

All corporate officers are required to take the oaths of allegiance and supremacy before they enter upon their functions.

Second Charter of Car. 2. A. R. 36.

A charter of Charles II., dated in the 36th year of his reign, recites the surrender of former charters, and establishes a new constitution, under which all the corporate officers are made removable by the Privy Council. This, however, is not considered binding.

Charter of Geo. 2. A. R. 11.

The last charter was granted by George II. for the purpose of enabling the mayor and aldermen to administer an oath to the coroners.

It is dated on the 22d December, in the 11th year of the reign.

From this review of the charters it appears that the municipal constitution is fixed by the 16 Henry VIII.; the jurisdiction by the 29 Henry VIII. and 2 James I.; and the admiralty rights by the latter. The greater part of the present property and revenues of the corporation, including the town dues, are claimed under the 2 Edward VI., and the 4 and 5 Philip and Mary.

Translations of these charters accompany our Report.

III. Corporate Body and Constitution.

Title.

The Mayor and Burgesses constitute the Corporate Body; and the present title of the corporation is, "The Mayor and Burgesses of the Borough of Lenne-Regis, commonly called King's Lynn, in the County of Norfolk."

Enumeration of Officers and Freemen.

The Officers named in the charters are—

A Mayor,
Twelve Aldermen, } the Governing Body.
Eighteen Common Councilmen,
A Chief Steward, now called the Lord High Steward.
Recorder.
Town Clerk.
Two Coroners.
A Town Chamberlain.
Gaoler and Keeper of the House of Correction.
Four Serjeants-at-Mace.
A Sword Bearer.
Haven Master.
Water Bailiff.
Town Crier.

Other officers of the corporation, not named in the charters, are—

Two Treasurers of the Corporation.
Two Auditors.
A Treasurer of Saint James's Hospital.
Treasurer of Framingham's Hospital.
Treasurer of the Wesleyan or Smith's Almshouses.
Collector of Town Dues.
Beaconer.
Mayor's Beadle.

The treasurer of Gaywood Hospital is appointed under a distinct charter, granted by James I. to the mayor and aldermen of the borough.

The number of freemen or burgesses is supposed to be 327, of which number 257 are resident.

1. Officers composing the Governing Body.

The officers composing the Governing Body, are the mayor, the aldermen and the common councilmen.

Mayor.

The Mayor is elected by the common councilmen, from the aldermen; and after serving the office, an alderman becomes ineligible to serve again for the next five years.

The aldermen are generally taken in rotation; but there are some exceptions to this rule. As the common councilmen are sworn to secrecy, their motives for passing over any individual are unknown; but it does not appear to be in consequence of any political or religious opinions entertained by the individual.

The mayor, as the head of the corporate body, is the president of their council.—(*See* "Ruling Body.")

He is a justice of the peace, chairman of the quarter sessions, and the presiding judge of all the borough courts.—(*See* "Jurisdiction.")

KING'S LYNN.

The town clerk thinks that he is also, by virtue of his office, a magistrate of the county; but it does not appear that he has ever qualified.

By ancient custom the interest of a married woman within the borough may be passed by a deed, acknowledged before him. It is acknowledged, in the absence of her husband, to be made of her own free will, and is registered by the town clerk. This custom extends to all inhabitants, whether free or not. The property must lie within the borough; but it is not necessary that the party should be resident.

He is clerk of the markets, and appoints a deputy to perform the duties, which are now confined to the collection of market tolls.

He is also a commissioner, trustee or guardian, appointed in all the Local Acts of Parliament relating to the borough, and in the Eau Brink Navigation and Drainage Acts.

By the first charter of Henry VIII. he is appointed to levy the taxes imposed by the ruling body, and empowered to punish, according to his discretion, those who refuse to pay.

His individual control over the corporate funds is restricted to orders for work, the cost of which does not exceed 5*l.*; but the present mayor, as one of the auditors, has an unlimited power to draw upon the bank.—(*See* "Auditors.")

Other functions he exercises jointly with the aldermen.—(*See* "Mayor and Aldermen.")

The only privilege attached to the office is that of filling up the first vacancy that occurs in the several hospitals mentioned hereafter, and this is a matter of courtesy only.

Some years ago a salary of 200*l.* a year was allowed; but it is now withdrawn, in consequence of the state of the corporate funds.

The expenses of a mayoralty are estimated at 300*l.* or 400*l.*, which are spent in hospitality, or in subscriptions of a public nature.

The present mayor is a resident banker.

Aldermen.

The Aldermen are elected by the common councilmen.

All burgesses are eligible; but the electors always choose one of their own body, and when a burgess is to be advanced to this office, he is first elected a common councilman. Latterly the senior among the electors, if willing to accept the promotion, has almost invariably been elected; and in the deviations from this rule, we trace no preference, either political or religious.

They hold office for life, subject to amotion by the governing body.

Besides their functions as a constituent part of the ruling body, after serving the office of mayor, they become magistrates of the borough. They are also appointed commissioners under Local Acts, and are members of the court of guardians.

The present body of aldermen is composed of seven merchants, the collector of customs, an attorney, and a gentleman exercising no profession or trade. With one exception, they are all connected by birth or marriage. Two are non-resident, but they attend the corporate meetings.

The present vacancies have continued for nearly two years.

Mayor and Aldermen.

The Mayor and Aldermen exercise the following joint functions:—

They appoint, and have power to remove for sufficient cause, the recorder, town clerk, coroners, sword bearer, gaoler and serjeants at mace; and they are also empowered to remove any member of the common council, who shall "commit an offence for which he shall be found deserving of removal from his office or authority."

They are appointed, by the first charter of Henry VIII., to make a survey previous to any application of the taxes and subsidies, ordered by the governing body.—(*See* "Ruling Body.")

By a charter of James I. they are incorporated as governors of Gaywood Hospital, and they appoint the treasurer of the hospital funds, whom they may remove for sufficient cause.

They are trustees under the wills of John Horne and James Boardman, and patrons of the charities established by those wills.—(*See* "Charities.")

Common Councilmen.

The Common Councilmen are elected by the aldermen, from the burgesses. They hold their office for life, subject to removal by the mayor and aldermen.

The 10 seniors are members of the court of guardians, and commissioners of the court of requests. All are commissioners under certain Local Acts; but they do not act in the commissions.

Five members of this council are non-resident. One of the five attends the corporate meetings; the other four have expressed a wish to resign.

Many of the members are connected by family ties with the aldermen. Only two of the 18 are rated inhabitants.

There is no uniformity of political opinions among them, nor is there any exclusion on the ground of religious differences. Dissenters have declined to be put in nomination.

No tradesmen have been elected into this body.

There are now two vacancies, one of which has continued since August 1832. Different causes were assigned for not filling them up. The mayor said that it was with difficulty the corporation could find eligible persons willing to undertake the trouble of office. Speaking for himself, it was with great reluctance that he undertook it. He only did so from a sense of public duty, and as soon as he had performed that duty, which, as a member of society, he thought himself bound to perform, he should retire.

It appears that the corporate offices have been frequently resigned, and in some instances with a view to avoid the mayoralty. KING'S LYNN.

The town clerk concurs with the mayor in stating, that nothing but a sense of duty induces respectable persons to accept an office in the corporation; while a member of the council thinks, that there would be no difficulty in finding competent functionaries.

This is the statement on the part of the corporation. On the other hand, they are charged by some of the inhabitants with an exclusive spirit in their choice of colleagues, and a desire to keep all the corporate offices to themselves.

A resident merchant, who was admitted a burgess by apprenticeship, declared his own willingness to serve, and his belief that many respectable and competent persons, some of whom were burgesses, would be equally willing. He had never canvassed the electors, nor stated his willingness to them; such a proceeding, he considered, would be useless.

The town clerk admitted the respectability of this individual; but he did not think that he possessed all those qualifications which constitute eligibility for office. He considered him eligible as to property and respectability; but there were other reasons why he thought he would not be a fit person. He declined to state the reasons, but added that they were equally applicable to other respectable men.

The exclusion of tradesmen from the council has been recently a subject of discussion by the governing body. The preference they have shown for merchants and professional persons over retail dealers is justified on these grounds: that the selection of a few individuals from so large a class of the inhabitants would excite jealousies and dissensions in the town; and that the persons selected are of superior intelligence, and better qualified for the performance of municipal duties. Their official qualifications will appear as we proceed in the Report.

2. The Governing Body.

The Collective Functions of the Mayor, Aldermen and Common Councilmen as the Governing Body of the borough, are exercised at corporate meetings which are called congregations; and at every congregation there must be present, the mayor and a majority both of the aldermen and of the common councilmen; but when a question is put to the vote, it is decided by a simple majority of the members present. Formerly they required the concurrence of a majority of each constituent part, but in consequence of an opinion given by their late recorder, a simple majority is now considered sufficient.

These Functions may be arranged under three distinct heads: Electoral Functions, Legislative Functions and Administrative Functions.

Electoral Functions.

As an Electoral Body, they choose the chief steward, treasurers, auditors, chamberlain and all other corporate officers, with the exception of those who are appointed by the mayor and aldermen. (*See* "Mayor and Aldermen," *supra.*)

These officers are all removable for sufficient cause by the electoral body.

By the first charter of Henry VIII., they are empowered to create burgesses "after their discretion," and all the burgesses must be elected, nominated and made by them. The charter runs thus:

"And also we have granted, and by these presents do grant to the said mayor and burgesses and their successors, that the aforesaid mayor and aldermen and common council, or the greater part of them, which now are and which hereafter shall be, may have full power and authority from time to time for ever, of ordaining, constituting, making and creating burgesses within the borough aforesaid, to be made after their discretions according to their ordination, makingand constitution. And that none be a burgess of the same borough, nor may use or enjoy any liberty as a burgess there unless he be first elected, nominated and made by the aforesaid mayor, aldermen and common council, or the greater part of them, for the time being."

Legislative Functions.

Powers of local legislation and taxation are given by the same charter of Hen. VIII.

"We have also granted, and by these presents do grant to the aforesaid mayor and burgesses and their successors, that the said mayor and recorder of that borough for the time being, and the said aldermen likewise for the time being, and also the said common council, or the greater part of them, the mayor, aldermen and common council for the time being, whereof we will that the said mayor and recorder for the time being be always two, as often as they please and it shall seem to be necessary, may assemble themselves and meet in the hall aforesaid, and there compose, make, ordain and establish from time to time for ever, laws, ordinances and statutes for the safety, preservation, sound rule and good government, and for the greater profit and commodity of the borough aforesaid, and those laws, ordinances and statutes, according to their sound discretions, as the case shall require for the better and greater convenience, may change and reform; and may put all and singular those laws, ordinances and statutes in execution from time to time as to them shall seem best to be done without impediment of us, our heirs or successors, or of any of our ministers or of our heirs or successors whomsoever, so as those laws, ordinances and statutes be consonant to reason, any statute, act, ordinance or provision before this time published, ordained or provided, or to be published, ordained or made notwithstanding."

"And we will and by these presents do grant to the aforesaid mayor and burgesses and their successors, that the mayor, aldermen and common council of the borough aforesaid, or the greater part of them for the time being, may tax and charge the inhabitants within the borough aforesaid, from time to time for ever, for the safeguard and defence of the same borough, towards and against the violent raging of the waters hereafter happening, or for other necessary things to be done from time to time within that borough. And if any tax or charge hereafter due happen to be assessed, determined or assigned by the said mayor and aldermen and common council for the time being, or the greater part of them, upon the inhabitants within the borough aforesaid for the time being, for the preservation and defence of the same borough towards and against the violent raging of the waters hereafter happening,

KING'S LYNN.

or for other necessaries within that borough from time to time happening, then the said mayor for the time being, and every one who shall be mayor of that borough, hath power by their servants hereunto deputed to levy and gather the same taxes and subsidies from time to time, and them by the surveigh of the said mayor and aldermen, or the greater part of them, to the use of the defence, safeguard and amending of the borough aforesaid to dispose. And if they shall find any one or more opposing the said levy and collection, then to punish and chastise, or cause to be punished and chastised, him or those so opposing or contrarying according to his discretion: Provided always, That the laws, ordinances and statutes aforesaid, or the tax and subsidy aforesaid be not, neither be made to the hindrance or charge, or in derogation of the Bishop of Norwich or his successors for the time being, or the stewards of the said bishop or their successors likewise for the time being."

The power of taxation is not now exercised, nor is any borough rate imposed by the municipal magistrates. The purposes to which the monies were applicable are accomplished by the corporate funds.

The only ordinances enforced by the corporation are for the purpose of ensuring a good supply of water in the town; to regulate the markets; and to regulate vessels in the port; and these are made in pursuance of a Local Act of Parliament. A copy of the existing regulations accompanies our Report.

Administrative Functions.

For the administration of the affairs of the corporation, three standing committees were appointed in 1812, with distinct powers and duties.

1. A committee for the letting of the corporation lands in and out of the town, and for the superintendence of the water works.

This committee is called "The Land Committee," and is composed of the mayor for the time being or his deputy, four aldermen and five common councilmen, chosen by lot or ballot.

2. A committee for the repair and letting of the corporation houses, warehouses and other buildings, and for the repair of bridges.

This committee is called the "House Committee," and is composed of the mayor for the time being, or his deputy, three aldermen and four common councilmen, chosen by lot.

3. A committee for the superintendence of the markets and of the collection of all tolls, and for all other affairs and purposes not referred to any other committee.

This committee is called "The Committee for General Purposes," and is composed of the mayor for the time being, or his deputy, three aldermen and five common councilmen, chosen by lot.

The composition and powers of these committees are fixed by the following regulations:

Constitution and Powers of Committees.

That any vacancy in the members appointed by name upon any of the above respective committees be supplied from time to time from the members of this house, by lot or by ballot, under the immediate direction of the majority of the remaining members of the committee in which the vacancy shall have occurred.

That every member of this house who shall attend on any of the above committees, either by choice or by summons from the mayor or his deputy, shall be considered as forming a part of such committee respectively, and have a voice there in the same manner as if he had been particularly named in the above resolution or order of reference.

And that any three members, the mayor or his deputy being one, be competent to proceed and act in every case, as forming a complete committee.

That the powers of the above committees respectively be limited to making a report only, except in cases of letting from year to year at rents not exceeding 50*l.* per annum, and except in cases of repair or expenditure of money, when the sum of money required respectively shall not exceed 100*l.*, and except in urgent cases requiring an immediate order, and except likewise in cases which may be expressly referred to the final order of any committee; in any of which excepted cases the committee may make a definite order, as the case may require, without a previous report.

That the first-named member for the time being of each of those committees, or his deputy, be chairman of the committee upon which he is or shall be so named, and that any three members of those committees respectively, the chairman or his deputy being one, be competent to proceed and act in every case as forming a complete committee, without the presence of the mayor for the time being as such, or of his deputy.

Finance Committee.

A fourth standing committee, called the Finance Committee, has been since added, for the purpose of examining the receipts and expenditure of the corporation.

The first members nominated were the then mayor, seven aldermen and seven common councilmen, and the following provisions were made for filling up vacancies, summoning the members, and limiting their powers:

That the first-named member for the time being of this committee, or his deputy, be chairman thereof, and that he do summon the committee to meet as often as he shall deem it expedient.

That any vacancy in the above-named members of this committee be supplied from time to time from the members of this house by ballot, or by the vote of the majority of the remaining members of the committee.

That every member of this house who shall attend this committee by choice or by summons from the chairman or his deputy, shall be considered as forming a part of the committee and have a voice there, in the same manner as if he had been one of those specially named in the above resolution or order of reference.

And

And that any three members, the chairman or his deputy being one, be competent to proceed and act in every case as forming a complete committee.

That in all cases of public work not expressly referred to some one of the above-mentioned three standing committees, or in which some one of those committees shall not have given any direct or positive order, no public work of improvement, alteration or repair be begun or contracted for by the mayor, or by the chamberlain, or any other corporation officer, without the previous order of this house or of this committee of finance.

And that no bill of charge or expense claimed as due from this corporation for any work done or materials furnished, either under the order of this house or of any of its committees, or on any other account whatever, be paid until such bill shall have been first either allowed by this house, or examined and signed by the chairman of this committee as allowed.

Two auditors are also appointed to examine the bills and accounts preparatory to their being laid before the congregation at a final audit. They ascertain that all bills for work done are properly certified by a responsible person, and then an order is made for the payment. They have an unlimited power to draw on the corporation bankers for money required by the chamberlain.

The auditors appointed are the present mayor and a member of the common council, who hold the office for an indefinite period.

At the end of every year the accounts are laid before a congregation, to be examined and approved by the ruling body.

These are the internal arrangements of the council for the management and control of the corporate property.

The patronage vested in the mayor and burgesses, and exercised by the governing body, will be stated under a distinct head. (*See* "Patronage.")

Oath of Secrecy.

An oath of secresy is taken by every member, and a difference of opinion exists with regard to the nature of this oath. One of the council stated, that he was unable to explain its object, nor could he see any objection to its removal; and he thought it would be better if all the business of the corporation were made public. He did not consider himself restrained by the oath from answering any questions which might be put to him under the Municipal Commission. The mayor, on the other hand, stated, that if he had not been released from its obligation by a vote of the hall, he could not conscientiously have given his evidence before the Commission. A third member of the corporation, an alderman and magistrate, said that he considered it in the light of a juryman's oath; and that while he was bound not to divulge the particular vote of any individual member, he was at liberty to state publicly the general acts of the body. He considered that it referred more especially to the election of the mayor, and that it was incumbent on the common council to declare the election without divulging the votes of its members.

3. The High Steward.

The Lord High Steward is elected by the ruling body, and has always been a peer. The office is held for life, subject to amotion by the electors.

It was granted by Charles II. who appointed Horatio Lord Townshend Baron of King's Lynn, and at that time the King's High Steward of the Borough, to be the first chief steward, and to continue in the office for life.

He has no other functions than those which are nominally imposed upon him by certain local Acts.

A salary of 10*l.* per annum is attached to the office, which is given away in charity.

The present chief steward is the Earl of Orford, who succeeded the late earl, and the office has long been held by a member of his family. They represented the borough two centuries ago, and their political influence still continues; but it does not interfere either with the choice of municipal officers, or with the admissions to the freedom; nor would a known opponent of the family be excluded from either.

The corporation appear to consider their steward as the guardian of their local interests in the House of Lords.

4. Officers connected with the Jurisdiction.

The Recorder, Town Clerk, Coroners and Gaoler are appointed by the mayor and aldermen.

Recorder.

The Recorder is required by the charters to be "a person learned and skilful in the law of the land," and a barrister has generally been appointed.

He holds his appointment for life, subject to removal by the mayor and aldermen.

This officer was granted to the corporation to be of their council, in all affairs for the benefit of the borough; but it does not appear that he takes any part in municipal affairs unconnected with the jurisdiction.

He is a borough magistrate, and is expected to attend the sessions, and to act as the legal adviser of the mayor. (*See* "Sessions.")

He is also a member of the court of guardians; and a commissioner, jointly with the common council, under the same Local Acts.

These duties have been sometimes performed by deputy, and the deputy has always been a barrister. He is not, however, a permanent officer.

The salary is 30*l.* 6*s.* 8*d.* a year.

The present recorder is Martin John West, esquire, a barrister, residing in London, who was elected in 1823.

Town Clerk.

The Town Clerk, or clerk of the borough, is appointed for life, and is removable by the mayor and aldermen. He is required by the charter to be a "lettered person;" and he has generally been a solicitor.

KING'S LYNN.

Town Clerk.

The present town clerk is an attorney of the superior courts, who previous to his appointment held a place in the council which he resigned.

His duties as clerk of the borough, are "to write, engross and register all records, acts, statutes, laws and mandates, both of the mayor and aldermen, and of the mayor and burgesses when required by them to do so." He accordingly attends the corporation on their public or hall days, and records their proceedings.

He is also clerk of the peace; clerk to the magistrates; registrar of the civil courts; registrar of the court of admiralty, attorney and solicitor of the corporation.

His salary is 350*l.* a year; and the customary emoluments of the office, together with the salary, amount on an average to rather less than 500*l.* a year.

Coroners.

The Coroners are annually elected, and removable by the mayor and aldermen. All the burgesses are eligible to this office; but the practice is to elect the senior member of the council.

The office was first granted by the 16 Hen. VIII.; but without authority to administer an official oath. The omission was supplied in the charter of Geo. II.

Their jurisdiction is exclusive within the borough; and, in addition to the ordinary duties of a coroner, they attend the sessions, impanel the juries, and return the writs.

The inquests are taken in rotation. One of the two is resident; the other resides within seven miles, and when his presence is required, he is summoned by a messenger, at his own expense. On two occasions within the last 30 years, inquests have been taken by justices in the absence of both the coroners.

The fee on each inquisition is 15*s.* 10*d.* which they give up to the town clerk, who performs the clerical functions of the office.

Gaoler.

The Gaoler and Keeper of the House of Correction is appointed for life, subject to the same removal.

His salary is 100*l.* a year.

No fees are paid by the prisoners. (*See* "Gaol.")

He is also the hall keeper, and derives some trifling emoluments from this office when the town hall is used for purposes unconnected with the affairs of the corporation.

5. Officers connected with the Revenues and Funds.

The Treasurers and other officers connected with the Revenues and Funds, are with one exception appointed by the governing body. The exception is the treasurer of Gaywood's hospital.

Treasurers of the Corporation.

The Treasurers of the corporation are common councilmen, annually appointed to keep an account of investments in the public funds, and to take charge of the charters, books and other documents preserved in the treasury of the borough. The treasury contains a part only of the corporation muniments; the rest are in the custody of the town clerk under the roof of the town hall.

This office is considered nominal, and is usually held by the coroners.

There is no salary attached to it.

Town Chamberlain.

The Town Chamberlain, appointed under the charter of Hen. V. is the steward and accountant of the corporation, the receiver of their rents, and the superintendent of their property. The monies he receives are paid at once into the bank in their name. The tolls, dividends and other parts of the corporation revenue do not pass through his hands, but are paid by the several receivers into the bank of Messrs. Gurney & Co. No bank account is kept with members of the corporation.

This officer, who is a mere receiver, and not a treasurer, has no power to draw upon the bank without the authority of the auditors.

He gives security to the extent of 1,000*l.*, and receives a salary of 150*l.* a year.

The present chamberlain has been 17 years in the office. He is a land surveyor in great practice, and is neither a member of the council nor a burgess; nor is he in any way connected with the members. (*See* "Property.")

Collector of Town Dues.

The Collector of Town Dues collects the tolls levied by the corporation on exports and imports in sea-borne vessels. (*See* "Property.")

The money he receives is paid from time to time into the bank used by the corporation. He occasionally has 500*l.* in hand. The security he gives is his own deed of covenant.

His poundage amounts on an average to 100*l.* per annum.

The collector of customs is always appointed to this office, on account of its connexion with shipping; and the town clerk states, that without the assistance of the customs, it would be difficult, if not impossible, for any person to levy these dues. The present collector is an alderman.

Collector of Tolls.

Collector of Tolls—(*See* "Haven Master.")

Treasurer of Gaywood Hospital.

The Treasurer of Gaywood Hospital, an officer named in the charter of James I., which incorporates the governors, is appointed by the mayor and aldermen from their own body. The appointment is for life, subject to amotion by them.

The treasurer superintends the receipts and expenditure of the hospital funds, without fees or emoluments. (*See* "Hospital Funds.")

Treasurers of St. James's Hospital, of Framingham's Hospital, and the Wesleyan Almshouses.

The Treasurers of Saint James's Hospital, Framingham's Hospital, and the Wesleyan or Smith's Almshouses, are all aldermen appointed for life, and removable by those who appoint them.

They superintend the receipts and expenditure of the several hospitals and almshouses, of which they are respectively treasurers. (*See* "Hospital Funds.")

All

All the Officers connected with the Port and Harbour are appointed by the governing body. 6. Officers connected with the Port and Harbour.

The Haven Master is an officer appointed under the charter of James I., by which the admiralty rights were acquired. His duty is to superintend the harbour; attend to the mooring of the ships; prevent all annoyances to the shipping, and see that the bye-laws are observed. This officer is constantly on duty. Haven Master.

He is also marshal of the admiralty, and has the custody of wrecks, to which the corporation are entitled by their charters.

His salary is 12*l.* a year, and he holds a separate appointment, as collector of certain tolls levied by the corporation, under the name of Up-river Tolls, and Petty Tolls, from which he derives about 20*l.* a year more.

The present haven-master is not a freeman.

The Water Bailiff, who is also the senior serjeant-at-mace, superintends the cobles or large fishing boats not belonging to the port. He regulates the mooring of these boats; is empowered to remove them if they lay inconveniently for the shipping; claims the first fish for the mayor; and has a fee of 1*s.* on every coble. Water Bailiff.

He also executes the process of the Admiralty Court, for which he receives a fee of 1*l.* 1*s.*

The Beaconer receives 360*l.* a year, and provides, at his own expense, all the buoys and floating beacons required for the navigation of the channel and harbour within the bounds of the admiralty jurisdiction. Beaconer.

The principal beacons are fixtures, which are maintained at the expense of the corporation.

The Official Servants of the corporation are, the serjeants at mace, sword bearer, common crier and mayor's beadle. 7. Official Servants.

The Serjeants-at-Mace are appointed for life by the mayor and aldermen, and are removable by them. Serjeants-at-Mace.

The senior serjeant's salary is 50*l.* per annum.

second	45*l.*	„
third	40*l.*	„
fourth	30*l.*	„

They formerly executed the process of the borough courts. The only duty they now perform, is to attend at the corporate meetings, and occasionally to assist the police.

The senior serjeant is the present water-bailiff.

The Sword-bearer is appointed for life by the mayor and aldermen, and is removable by them. Sword-bearer.

The duty originally imposed upon him by the charter of Henry VIII. was to carry a sword sheathed before the mayor.

He is now one of the officers in attendance at the meetings of the corporation, and like the serjeants-at-mace he occasionally assists the police.

His salary is 18*l.* 10*s.* a year.

The Common Crier, an officer named in the charter of Henry V., receives a salary of 15*l.* and fees depending on the casual demand for his services. Common Crier.

The duty of the Mayor's Beadle is to attend the mayor on all occasions, and to assist in the apprehension of offenders as an extra constable. Mayor's Beadle.

His salary is 4*l.* 16*s.*, besides which, he receives feee from those who require his services.

The Freemen.

The Freedom is acquired by birth, apprenticeship, purchase and gift. Titles to Freedom.

The first son born after his father's admission is entitled to the freedom at his father's death, if he is then of age; and if a minor, when his minority ceases.

An apprentice to a resident freeman is entitled to admission after seven years' actual service within the borough. An assignment is allowed, but it must be made to a resident freeman. The only exception with regard to residence is made in favour of mariners, whose service may be on board vessels belonging to the port, and sailing out of the port.

The indenture must in all cases be registered within three months by the town clerk, or a fine paid for the omission.

The mayor, aldermen and common councilmen are empowered by the first charter of Henry VIII. to elect burgesses "at discretion." They have sometimes exercised this power by conferring the franchise as a gift; and sometimes in consideration of a sum of money. The sum has varied at different times, and was last fixed at 150 guineas. Formerly any person willing to pay the sum fixed upon was allowed to purchase his freedom; but this is no longer the case. The last admission by purchase was in 1815.

Of late years applications have been made, and rejected, and one only a short time ago, when the corporation resolved to make no more voluntary admissions, pending the proceedings of Parliament concerning corporations.

The freedom has been gratuitously voted to three classes of persons:—1. To individuals distinguished by their rank and station in the country. 2. To those who are considered to have conferred some benefits on the town. 3. To persons willing, and competent, to serve the corporate offices.

KING'S LYNN.

In the first class are The King and His Royal Highness the Duke of Sussex.

In the second class are Members of Parliament, who have assisted the corporation, by attending committees during the progress of local Acts affecting the interests of the borough.

And the nephew of a gentleman, who had endowed the Wesleyan Almshouses, has been presented with the freedom at his uncle's request.

The majority of those who compose the third class are connected by some family tie with the members of the governing body. They have invariably served the corporate offices after their admission; and it is stated, on behalf of the corporation, that any individual of the same station in life, though personally unconnected with the governing body, would be admitted on the same understanding.

Fees on Admission.

The fees payable on admission amount to 16*l.*, besides the stamp, and are divided between the mayor and town clerk in the following proportion:

		s.	d.			
Mayor's Fees:	for the seal	1	8			
	the Mayoress	1	–			
	the Poor	1	–			
	Prisoners	–	4			
				–	4	–
Town Clerk's Fees, including stamp				1	12	–
				£. 1	16	–

A portion of the latter is divided among the inferior officers.

Privileges of the Freemen.

These fees are frequently left unpaid, and the admission has never been withheld on the ground of non-payment.

The Freemen have no constitutional control over the municipal authorities. Their privileges are,—

A right of voting for Members of Parliament, subject to the restrictions of the Reform Act. All the residents are registered.

Exemption from the greater part of the dues levied in the port. (*See* "Property—Town Dues.")

Exemption from serving on juries out of the borough—a privilege which they share in common with the other inhabitants.

The exclusive right of trading within the borough—a privilege which has been practically disused for more than a century.

A general exemption from tolls, except in London. This privilege is claimed without being exercised.

The present extension of the franchise is very limited, and consequently these corporate privileges are very partially enjoyed by the inhabitants of the borough. The exemption from the town dues, which is one of considerable importance to ship-owners and corn-merchants, is a subject of discontent among those who are excluded from the corporate body.

Complaints of exclusion from the Freedom and its Privileges, and of partiality in the election of Freemen.

The following complaint was urged upon the subject by a resident merchant.

In conferring the freedom, he said, partiality has been shown by the corporation to their own families and connexions, for the purpose of making them members of the ruling body; although there were many individuals, having already acquired their freedom by servitude, who were quite as competent to fill the corporate offices. Personally he complained that he was obliged to pay those tolls, from which other merchants admitted to the freedom were exempt; and while the franchise was gratuitously granted to some, it was refused to others who were willing even to purchase it. He had himself offered to purchase it, and considered he had claims to be admitted, as his father had previously paid for his freedom; and he would himself have been entitled by birth, had he been born a few months earlier. His claims however were rejected, and he contrasted his own rejection under these circumstances with the gratuitous admission of other merchants connected with the aldermen, who had obtained by the franchise an exemption from those dues which he and others were obliged to pay.

The partiality here complained of was fully investigated, and the following is a list of the honorary freemen created since 1815:

- 1815. The son of an alderman.
- 1817. The son of an alderman.
- 1818. The present collector of customs at Ipswich, who is a brother of the town clerk, related by marriage to an alderman.
- —— The son of an ex-alderman, and the brother-in-law of another member of the governing body.
- 1819. A gentleman unconnected with the governing body.
- 1822. The brother of an alderman.
- —— Two sons of an alderman, one of whom is the present mayor, and both are brothers of the honorary freemen admitted in 1815.
- 1830. A gentleman unconnected with the governing body.
- 1831. The nephew of an alderman.
- 1833. A second nephew of the same alderman.

It appears therefore that eight out of the eleven are either sons, nephews, or brothers of aldermen; and a ninth is the brother of the town clerk, who is related by marriage to an alderman.

Of these nine, four have no personal interest whatever in the exemption, nor are they likely to have any. Of the remaining five, one only was interested at the time of his admission;

sion; three have since become so; and it is not improbable that the fifth may ultimately become so. KING'S LYNN.

The one who was interested at the time of his admission was in partnership with a freeman, and the firm were only liable to pay half the tolls. The three actually interested would have been entitled to their freedom by apprenticeship before they acquired any interest; and they derived no benefit from the immunity by an earlier admission. They immediately became officers of the corporation, which was the condition attached to their admission.

Another complaint of exclusion was this.—About 25 or 30 years ago, the complainant made an application to be admitted to the freedom by purchase. The price of admission, he was told, was 150*l.* Others were admitted about the same time, who had paid only 100*l.* and it seemed to him that he had been unfairly singled out for exclusion.

On examining the book of admissions, it appeared that 100*l.* was the price paid in 1800. The application in question was made subsequently; and in the mean time the price had been raised. The next admission by purchase, after the rejection of the applicant, was in 1803, when the increased price was paid, and the individual admitted was a near relative of one of the leading families in the corporation. The reason assigned for raising the price at that time was, the expense incurred by the corporation in a trial concerning their right to tolls, which had been decided in their favour, and had increased the pecuniary value of the franchise.

Owing to the secrecy which accompanies the proceedings of the corporation, the circumstances attending these admissions, which were adduced as instances of partiality, first became known to the inhabitants of the borough during the Municipal Inquiry.

The actual extension of the Franchise, and the relation in which the freemen, as a corporate body, stand to the inhabitants of the borough, may be collected from the following facts: Present extent and distribution of the Franchise.

In a population of 13,370 inhabitants, containing 5,972 males, there are 257 freemen.

Of these 257 freemen, only 127 are rated inhabitants, and only 53 pay taxes in the borough.

The parochial assessments amount to nearly 9,000*l.* a year. The last quarterly assessment on the whole corporate body was 230*l.* 9*s.* 2*d.*, and of this sum the aldermen alone paid 60*l.* 5*s.* 8*d.*, and the common councilmen 10*l.* 1*s.* 6*d.*

The taxes raised in the borough amount to about 4,000*l.* a year. The last half-yearly taxes paid by the whole corporate body amounted to 561*l.* 6*s.* 5*d.* Of this sum the aldermen pay 266*l.* 14*s.* 9*d.*; the common councilmen 21*l.* 13*s.* 9*d.*

The number of registered voters is 865, and of these 257 are freemen.

About one-third of the registered freemen are mariners. The other two-thirds are distributed among the various classes of society in the town. A list of the whole, with their respective occupations and assessments, accompanies our Report.

The Jurisdiction of the borough, both criminal and civil, is exclusive, and extends throughout the liberties. IV. Jurisdiction. Nature and Extent.

The Local Courts are— Local Courts.

A Court of Quarter Sessions;
The Guildhall Court;
An Admiralty Court;
A Court Leet;
A Court of Requests.

The Magistracy is composed of the Mayor, the Recorder, and all those Aldermen who have served the office of Mayor. Magistracy.

The Court of Quarter Sessions is regularly held four times a year, before the mayor or his deputy, the recorder or his deputy, and the aldermen who are magistrates. Several of the aldermen attend. Upon one occasion only there was neither a recorder nor his deputy present, but the mayor was then a professional man, and there were no prisoners to try. 1. Quarter Sessions.

This court has cognizance of all offences, except high treason; and in practice, capital as well as other felonies are tried.

The last instance of an execution within the borough for a capital crime was in 1802; before that time there had been none since 1782; since then, several criminals have been tried for capital offences, and one was convicted and sentenced in October 1831. He was afterwards reprieved.

No prosecutions for political offences have taken place for many years, and when the interests of the corporation are concerned, it is not the custom to prosecute in the borough.

These sessions are generally attended by barristers.

The grand jury list contains about 25 names. The principal merchants and inhabitants alone are put upon this list. On the election of a new member of the common council his name is added. Juries.

For the selection of a petty jury the town is divided into two districts, formed by a natural division of one of the watercourses called Purfleet, and the most respectable tradesmen are taken from each division alternately. They are impannelled by the coroners, who receive from the town clerk a copy of the last panel but one, and all on the list are summoned. The names are put into a hat, and the order in which they are drawn out is the order of the panel. The number of persons considered eligible in the two divisions of the town is now about 100, and the number of each panel is 48. The same persons are summoned for every alternate sessions, and no change is made except in the case of death, or upon an application for exemption on the ground of bodily infirmity. The list is always formed in the same manner, whatever may be the nature of the crime, and no interference is permitted with this regulation, nor is there any instance of deviation from the rule.

KING'S LYNN.

Court Fees.

The Costs are regulated by the following table of fees :—

	£.	s.	d.
Indictment, single count and one person, unless special	–	2	–
Passing ditto, each count	–	6	8
Arraignment and plea	–	7	11
Conviction, or acquittal	–	15	10
Sentence	–	3	6
Discharge of recognizance	–	4	4
Cryer, for every oath	–	–	4
Copy of deposition for prosecutor's solicitor	–	3	6
Copy of indictment for common larceny	–	2	–
Attendance on prosecutor's solicitor	–	6	8
Discharge of recognizance for peace on good behaviour	–	6	8

Expense of Prosecutions.

The expense of prosecutions is charged upon the poor rate, and the following extract from the account annually published by the court of guardians shows the amount during the five years, commencing with 1828 :—

Years	Amount. £.	s.	d.
1828	115	9	2
1829	221	12	1
1830	128	7	9
1831	139	4	7
1832	79	15	11

The average cost of a prosecution during this period has been 8*l.* 10*s.* 4*d.*

Number of Prosecutions.

The practice at the sessions during the last three years is exhibited in the following statement of the number of commitments for felony and misdemeanor; the number of prisoners convicted, acquitted and discharged; the number transported; and the expenses allowed :—

	Years	Number of Persons committed for Trial for Felony.	Number Convicted.	Number Acquitted.	Number discharged for want of Prosecution.	Number against whom no Bill was found.	Number Transported.	Expenses allowed. £.	s.	d.
FELONIES.	1830	12	10	2	–	–	3	147	7	10
	1831	10	7	2	–	1	2	80	2	9
	1832	10	7	3	–	–	2	105	9	1
MISDEMEANORS. Not Assaults.	1830	1	1	–	–	–	–	15	11	11
	1831	2	2	–	–	–	–	49	18	1
	1832	None.								
Assaults.	1830									
	1831	1	1	–	–	–	–	9	3	9
	1832	None.								

Petty Sessions.

Petty Sessions are regularly held every Monday, and at other times whenever an offender is apprehended. They are sometimes continued for several successive days, and last for several hours of the day. The mayor or his deputy invariably attends, and generally the mayor himself, assisted by a second magistrate. Six of the aldermen are also in the habit of attending in rotation. The business begins at eleven o'clock, and frequently lasts till four in the afternoon. During the last month the mayor has been occupied in the justice room during those hours for three successive days in each week.

The fees of the magistrate's clerk are fixed by a table, which was confirmed by the judges of assize in 1825.

2. Guildhall Court.

The Guildhall Court is a civil court of pleas and plaints, established by the second charter of Hen. VIII., to be held twice a week, on Wednesday and Saturday, before the mayor and recorder, or either of them, or either of their deputies. It is now held once a month. The mayor always attends in person, but not the recorder.

This court has cognizance of all actions, real, personal and mixed; and for damages of any amount.

The process is by bailable or serviceable writs, as in the superior courts. The pleading is also like that in the courts above. The town clerk is registrar of the court, and would impanel the jury, if required. He has offered to adopt the new practice of the superior courts

courts at Westminster, but as legislative proceedings were pending, his offer has not been acted upon.

Judgment may be levied on the body, lands or goods, according to the nature of the action.

Costs. The costs are regulated by a table, and the following are the fees allowed in actions of ejectment, debt and assumpsit.

In Ejectment.

	£.	s.	d.
Entering action, filing, and warrant of attorney	–	2	–
Allowing declaration, filing, and oath of service	–	3	6
Rule of court	–	2	6
Entry and copy	–	2	6
Oath of service	–	1	–
Judgment, 5*s.*; entry, 2*s.* 6*d.*; gaoler and cryer, 10*d.*	–	8	4
Award of writ of possession and certificate thereon	–	3	–
Every respite or continuance	–	1	–
Fee on ending, order and entry	–	2	6

Debt and Assumpsit.

	£.	s.	d.
Writ	–	2	–
—— and for each additional person as defendant	–	1	–
Entry of appearance	–	1	–
Allowing declaration and oath	–	3	6
Four o'clock rule	–	2	–
Entry and copy	–	1	–
Filing declaration	–	2	6
Ditto rule	–	2	6
Return agreed, 4*d.* and 2*d.*	–	–	6
Entry of every continuance	–	1	–
Award of venire facias	–	2	6

The expense incurred at different stages of an action for the recovery of debts to any amount exceeding 40*s.* is as follows:—

	£.	s.	d.
Costs, if action settled before declaration filed	1	–	–
—— after declaration filed and no appearance entered by defendant	2	10	–
—— if appearance entered by defendant	2	–	–
—— judgment by default	3	12	–

To the last sum must be added 8*s.* 4*d.* for *fi. fa.* besides poundage and officer's fees.

Number of Actions. The business transacted in this court during the last three years is shown in the following table:—

YEARS.	Number of Actions or Suits commenced.	Number of Persons taken to Gaol on Mesne Process.	Number of Executions issued or ordered against			Total Amount for which Executions ordered.
			Body.	Lands.	Goods.	
						£. s. d.
1830	22	Not any	–	–	1	5 15 4
1831	12	Not any	–	–	1	5 10 10
1832	13	—	—	—	—	—

Judgment is occasionally suffered by default, but it is many years since any trial has taken place.

The chief use of this court at present is to enable a creditor to arrest his debtor when he finds him leaving the town. The court then compels him to give bail for the debt.

3. Admiralty Court. The Admiralty jurisdiction, established by the charter of James I., is exclusive, and extends throughout the borough, and to the utmost limits of the port. Those limits are thus defined:—

"All and singular the Deepes, vulgarly called Lynn Deepes, and also all manner of places and parts, and course of waters, extending from the borough aforesaid unto a place called Saint Edmond's Nest, otherwise Gorend; and from thence north and by west to another place or sand, called Long Sand; and from thence to another sand, called Whiteing Sand; and from thence to another place or sand, called Terrington Brest, otherwise Terrington Brest Sand; and from thence to West Lynn; and from thence to another place or sewer, called Stapleweere; and all manner of places and parts within and upon the aforesaid sands, and to the utmost flowing and reflowing of the waters within the limits and bounds aforesaid, and also all and singular places within the precinct, circuit and liberty of the borough aforesaid, and the port aforesaid, as well by land as by water."

KING'S LYNN.

4. Admiralty Court of Record.

The corporation are empowered by the same charter to hold an Admiralty Court of Record, on every Thursday, or oftener if they think fit, before the mayor, recorder, and other borough magistrates, or two of them, the mayor or recorder being one.

The court has cognizance of "all and all manner of pleas, suits, complaints, actions and demands whatsoever, of all contracts, debts, covenants, trespasses, detinues, deceipts, and other matters, causes, controversies, strifes, offences, faults, demands, things and businesses whatsoever (piracies excepted) upon the high sea or elsewhere, beyond or by sea, in foreign and transmarine parts done, perpetrated, or happening or arising, or to happen or arise, or any way touching or concerning the office or Court of Admiralty, so as one party be abiding or inhabiting within our borough aforesaid, or the liberties of the same borough, or that they may hear and determine all and every the aforesaid pleas, suits, complaints, actions, demands, contracts, debts, covenants, trespasses, detinues, deceipts, and other matters, causes and offences whatsoever as aforesaid, according to the law and custom of the Court of Admiralty of our realm of England."

By a subsequent proviso in the charter, "all offences in admiral line affairs, concerning the loss of any life or member," are taken out of the jurisdiction of this court.

The mayor and aldermen (or the majority, including the mayor) are empowered to appoint judges, commissioners, assistants, registrars, marshals, and other officers of the court; and the serjeants at mace are appointed to execute its jury and other process.

All fines and forfeitures are granted to the corporation, "for the better support of the borough and port."

This court is now held once every calendar month before the mayor, and its jurisdiction is in practice confined to the enforcement of regulations concerning the fishery and wrecks.

No one is entitled to fish without a license, which is granted during good behaviour, on payment of 10*s.* 6*d.*, besides the stamp. Few licenses, however, are taken out, and as the fishermen are generally poor, it has not been thought worth while to prosecute them. There is an ancient roll of bye-laws for the regulation of their conduct, and the punishment for the infringement of these laws is either the suspension of a license, or the imposition of a fine.

4. Court Leet.

The Court Leet is held on the 28th of October every year before the mayor, when the constables and headboroughs are sworn into office for the ensuing year, and the leet jury make their presentments of weights and measures, and of nuisances in the market. The headboroughs constituting the leet jury are 20 in number, two for each ward; and they are appointed by the aldermen of their respective wards. The town, including South Lynn (under the designation of South Gate Ward), is divided for this purpose into 10 wards, each having an alderman and deputy, who is a common councilman. The persons selected are either common councilmen or respectable tradesmen, and not necessarily freemen. Their duty, which is considered irksome, is performed efficiently.

5. Pie Poudre Court.

A Pie Poudre Court is still nominally held once a year, in the month of February, before the mayor, when the great mart or fair is proclaimed.

6. Court of Requests.

A Court of Requests, established by Act of Parliament (the 10 Geo. III. c. 20.), is held once a month.

The commissioners of this court are the mayor, recorder, aldermen, 10 senior common councilmen, the guardians of the poor of the parish of St. Margaret, and the overseers of the parish of All Saints.

Three are a quorum, and the mayor almost invariably presides.

The power of the court is limited to debts under 40*s.* incurred within the borough, and debts for rent are excepted. Another exception is made by the commissioners. They will not entertain claims made by publicans, for beer drunk in their houses, unless it has been drunk at a single sitting. The ground on which they reject these claims is, the practical difficulty of ascertaining the quantity consumed, and consequently the amount of the debt.

Appearance is enforced by summons, and the practice is to swear the parties whenever the debt is disputed; a practice which is found beneficial. The town clerk states that he has only known one instance of a fictitious debt in the course of many years.

Judgment may be levied either on the body or the goods.

Costs are regulated by the Act which establishes the court. The expense of a summons is 1*s.* 3*d.*, and the maximum costs 5*s.* 9*d.*

Number of Actions.

The extent of the business during the last three years is shown in the following table:—

YEARS.	Number of Actions or Suits commenced.	Number of Persons taken to Gaol on Mesne Process.	Number of Executions issued or ordered against			Total Amount for which Executions ordered.
			Body.	Lands.	Goods.	
						£. s. d.
1830 -	480	- - -	76	- -	13	97 19 9
1831 -	496	- - -	90	- -	4	97 16 6
1832 -	505	- - -	80	- -	2	95 17 4

This

This court is found efficient, and of late years its business has been increasing. About 30 cases are now brought forward at every sitting. The town clerk states that it would be of still greater service if its power were extended to debts of 5*l.*, and the mayor assigns as a reason for not extending its power beyond 5*l.*, that the business would in that case occupy so much time that competent functionaries could not be found to attend.

Police.

The local Police consists of 20 regular constables, six extra constables, and five night watchmen.

The constables are appointed by the aldermen, two for each ward; and if the aldermen omit to make the appointments, the mayor completes the list.

They are selected from the class of secondary tradesmen, and sworn in at the leet.

The appointment is annual, but the same persons generally serve the office for two years, and if any individual has been distinguished by his efficiency, he is usually requested by the aldermen to continue in the office. Some have continued to serve for eight or nine years.

The extra constables are the four serjeants-at-mace, the mayor's beadle and the beadle of the governors of the workhouse.

They are not paid by the corporation.

This police is found sufficient for all ordinary occasions. The conduct of the constables as a body is said to be good, but some complaints against them will appear under the head of "Licenses." Offenders, are in general quickly detected.

During the last 30 years there have been few occasions for swearing in special constables. In 1814, there was a riot among the sailors, originating in a strike for wages; and upon this occasion the persons sworn in were found willing, but pusillanimous, and were soon overpowered by the rioters. The magistrates were active, but they were not sufficiently supported, and it was necessary to apply for other assistance. The gaol was broken open, the military sent for, and the ringleaders seized. They were committed for trial at the county assizes.

Another occasion arose in 1822, during a contested election. A riot broke out, which does not appear to have originated with the inhabitants, but with persons employed on the works then proceeding in the Eau-brink cut. When they had burnt the hustings, special constables were sworn in, and upon this occasion also they were found insufficient. The election was suspended, the military again sent for, and the principal rioters secured, who were afterwards tried and convicted at the county assizes.

In 1824 and 1826 there were contested elections, and special constables were sworn in; but no riots followed.

Gaol.

The borough Gaol contains 4 day rooms, 18 sleeping cells and 4 yards.

The total number of persons committed during the three years, 1830, 1831, 1832, was as follows:—

1830	154
1831	117
1832	122

Of these the number committed for trial were—

	Males.	Females.
1830	11	2
1831	11	1
1832	7	4

Distinguishing the commitments for felony and misdemeanors—

	For Felony.	For Misdemeanors.
1830	12	1
1831	9	3
1832	10	1

The number of debtors confined during the same period were—

1830	20
1831	20
1832	25

The number of vagrants—

1830	27
1831	17
1832	22

The gaoler's books do not enable us to distinguish the males from the females, except in the cases stated.

During the last year, the greatest number confined at the same time was 18. There were no re-committals.

Since 30 December 1832, 11 have been returned as sick, but no deaths have occurred. The prisoners are all unemployed, and the weekly cost of their food is 4*s.* 1*d.* per head.

The prison seems to be on the whole well regulated, and the classification of the prisoners to be in most instances as perfect as the size of the gaol will allow. In one instance, however, a respectable woman having a large family was confined for debt in the same room with other female prisoners who were committed for disorderly conduct.

The diet is one pound and a half of the best bread a day, and half a pound of cheese. Occasionally

KING'S LYNN.

Occasionally it is changed, and a small quantity of pork is allowed. They have no allowance of beer, but are permitted to receive it from their friends.

A chaplain performs service on Sunday, but does not attend at other times, unless a prisoner is to be removed. Bibles and prayer-books are provided.

The magistrates sometimes, but not very frequently, visit the gaol. The present mayor has done so about once in two or three weeks since he has been in office.

In general the prisoners have been healthy, and the gaoler makes no complaint of their conduct.

Licenses.

There are 68 public-houses within the borough which are licensed by the municipal magistrates, and with the exception of the four principal inns and one other, all these houses belong to the magistrates themselves.

The proprietors never attend on the licensing-day, nor do any of their family connexions.

Since 1810, only one license has been refused, and this was refused on the ground that there were already a sufficient number.

Complaints of disorderly conduct at these houses have been more frequent of late, which is attributed to the establishment of beer shops. Before their introduction, it is said that such complaints were very rare. Only one case, however, has been established before the magistrates, and in that case they suspended the license. The disturbances have generally occurred at late hours in the night; and where informations have been laid, there has been a difficulty in obtaining evidence. The informations have themselves been few, and respectable inhabitants have expressed their dislike to come forward as complainants. An order has been recently issued by the mayor to close all public-houses at 11 o'clock, and the police have directions to visit them at uncertain hours, and report disobedience to this order. Some fines have already been imposed for disobedience; but the most respectable of the publicans have co-operated with the magistrates.

In a few instances, complaints have been made of the conduct of the police, and they have met with proper attention. In one case, a constable was found at a public-house, after the hour appointed for closing, and the officer as well as the publican was fined. In another case a constable was found drunk in a public-house, and he was suspended.

Poor.

The management of the Poor is in the hands of a court of guardians. The only connexion between that court and the corporation has been incidentally mentioned under a previous head of the Report.

Reasons for extending the Jurisdiction.

A small part only of West Lynn is within the external boundary of the borough; the remainder is divided from the town by the river, and there is so little intercourse between the two places, that no inconvenience is felt from the present boundary in that direction. But the village of Gaywood, which is on the borders of the town, and just beyond the corporate jurisdiction, is the resort of vagrants and disorderly persons, who, after passing the boundary, bid defiance to the borough police. A public-house under the walls of the town, and a long range of small buildings, encourage the resort to this village, and facilitate the escape of offenders.

There would be an obvious advantage in placing the village under the jurisdiction of the town magistracy; but to effect this the parish must be divided, and different parts of it must be subjected to separate jurisdictions.

The same observation applies to that portion of West Lynn which is surrounded by the borough.

V. PATRONAGE.

Master of Grammar School.
Lecturer of Chapel.

The corporation appoint the Master and Under Master of the Grammar School, and a Sunday Lecturer of St. Nicholas Chapel.

The salary of the master is 63*l.* a year.

The salary of the lecturer is 100*l.* a year.

Lecturer of St. Margaret's.

They also pay 200*l.* a year to the Minister of St. Margaret's, who is appointed their chaplain.

The Patronage arising from the charity funds and revenues which are under their control, will appear under a subsequent head. (*See* "Hospital Funds and Charities.")

VI. PROPERTY.

The Property of the corporation applicable to all municipal purposes consists of,—

1. The manor of King's Lynn;
2. Lands, houses and other tenements, partly within the borough, and partly in the vicinity;
3. Tolls of various kinds;
4. Mart rents;
5. The cattle market;
6. Money in the public funds;
7. Local securities.

1. Manor of King's Lynn.

The Manor of King's Lynn was granted by the charter of Philip and Mary, with a reservation to the Crown of 13*l.* 13*s.* 6*d.* a year. The court leet returns in right of the manor, for the year 1831–2, amounted to 12*l.* 1*s.* 11*d.*

The fee-farm and quit-rents, including some arrears, were 41*l.* 13*s.* 11*d.*; from which, after deducting poundage and receipt stamps, there remained 37*l.* 5*s.* as the annual proceeds of the manor.

The

2. Lands, Houses and Buildings.

The Lands, like the manor, were granted by the Crown; and the greater part of them by the charters of Edward VI.[1] and Philip and Mary. Their extent is 1,419 A. 2 R. 26 P., and they are distributed as follows:

	A.	R.	P.	A.	R.	P.
A farm at Snettisham				763	–	38
„ Saint Germans				164	3	19
Land in Kettlewell Ward	6	2	3			
„ Paradise Ward	14	0	17			
„ Sedgeford Land Ward	15	2	4			
„ Stonegate	13	3	34			
„ South and West Lynn	360	–	4			
				410	–	22
„ Gaywood				34	–	3
„ Saint Peter's and Saint Mary's				21	3	38
„ North Runcton				3	2	20
„ Middleton				1	3	6
„ West Wurch and Setchy				20	–	–
Acres				1,419	2	26

The farm at Snettisham is let for eight years from 1830, for 630 *l.* a year. The tenant is not connected with any member of the corporation.

This estate is charged with an equitable mortgage. (*See* "Debts.")

The farm at Saint Germans is let from year to year, at an annual rent of 250 *l.*

The other lands, which are principally pasture, are let in small inclosures from year to year. The rents are in all cases fixed by the chamberlain, an experienced land surveyor.

For the purpose of increasing competition, and to give the inhabitants at large an opportunity of occupying these inclosures, some of them have recently been put up to auction, but it was found that the rents obtained in this way were less than those obtained by private contract.

A table which accompanies our Report shows the extent and nature of the lands, with the rents respectively paid, and the names of the tenants. Among these tenants are members of the corporation; but it does not appear that any preference has been shown to them; and in all cases where the property they occupy is underlet, the rent they receive from their sub-lessees is the same which they pay to the corporation. Their names are distinguished in the table by the letters A. and C. C., denoting aldermen and common councilmen.

The only unproductive lands are, the plantations and public walks, which are dedicated to the use of the inhabitants.

The corporation are lords of the soil, and in a few instances small pieces of the waste have been granted at nominal rents. The object appears to have been, either the abatement of a nuisance or the accommodation of individuals.

Encroachment rents are received in right of the soil, which are inconsiderable in amount.

The Houses and other tenements are also let from year to year, in the same way as the lands. They are described in the same table as the lands, and the observations made with regard to the tenants of the one, are equally applicable to the tenants of the other.

The grammar and Lancasterian schools are the property of the corporation, and are occupied rent-free.

3. Tolls.

The Tolls levied by the corporation are these,—

The Town Dues,
Up-river Tolls,
Petty Tolls,
Wharfage,
Market Tolls,
Flour Tolls,
Metts.

Town Dues.

The Town Dues are levied under the charter of James I., on shipping and merchandize. These are,—

Beaconage,
Stakage,
Anchorage,
Ballast,
Bulkbreak,
Lastage,
Groats.

KING'S LYNN.

Beaconage is paid by all vessels, but the rate varies according to the following scale:

CLASS OF SHIPS.	On Coals delivered, per Chaldron.	On Goods laden or discharged per Ton.	On Grain laden or discharged per Last.
Ships the property of freemen - -	½ d.	½ d.	1 d.
—— belonging to the port, but not the property of freemen -	2 s. per score Chaldrons	1 d.	2 d.
—— British, not belonning to the port - - - - -	2 s. per score Chaldrons	1 d.	2 d.
—— Foreign - - - -	- - -	1½ d.	3 d.

Stakage is also levied on every vessel. The rate is in all cases one half of the beaconage, and if the vessels are moored at the boat quay, an additional fifth is taken.

Anchorage is paid by ships not belonging to freemen. It is 6 d. per voyage.

The Ballast Toll is payable only when ballast is taken within the harbour, and the ships of freemen are exempt altogether. Other British ships pay 5 d. for every three chaldron of coals delivered, and 4 d. for every three tons of goods. Foreign ships pay double for goods.

Bulkbreak is levied on all ships not belonging to the port, if they come from foreign parts. It is a toll of 3 s. 4 d. per voyage.

Lastage is 1 d. per quarter on all grain shipped at the port. If certified to be the adventure of a freeman, the grain is exempt.

Groats are levied on ships not belonging to the port. The rate is 4 d. per chaldron on all the coals they deliver.

The produce of these several dues in the years 1830, 1831 and 1832 was as follows:—

DESCRIPTION OF DUES.	1830.	1831.	1832.
	£. s. d.	£. s. d.	£. s. d.
Beaconage - - - - -	925 18 –	866 18 5	945 18 8
Stakage - - - - -	521 15 5	477 18 3	514 14 –
Anchorage - - - - -	32 8 7	32 10 11	36 15 8
Ballast - - - - - -	290 16 7	280 13 –	288 16 4
Bulkbreak - - - - -	20 3 4	16 3 4	16 – –
Lastage - - - - -	890 12 9	651 2 4	536 16 9
Groats - - - - - -	487 18 10	447 5 5	689 19 6
TOTAL - - - £.	3,169 13 6	2,772 11 8	3,029 – 11

The only one of these dues appropriated to a specific object is the groats, which are applied in relief of the poor rates; and as vessels belonging to the port are assessed with other property in the borough, they are exempted from this toll. It is levied under the authority of the corporation, but not collected by their officers.

The other dues form a considerable part of their revenue. On an average of the last six years, they have produced 2,521 l. a year.

Although the beaconage, stakage and other tolls are considered applicable to general purposes, the corporation are bound to maintain the buoys and beacons in the channel from the harbour to seaward, and stakes for mooring vessels on the shores of the river, not within the harbour. They also maintain and repair the southern bank of the river as well as other public works.

Up-river Tolls.

The Up-river Tolls are levied on corn carried up the river, and become due on leaving the port. They are collected at a place called the Boal.

The sum collected in 1832 was 115 l. 9 s. 10 d., and the net receipts, after deduction of poundage, were 103 l. 19 s. 1 d.

The corporation hold one-fourth of these tolls under a lease from the Duchy of Cornwall. The lease is dated 12th November 1814; the rent reserved is 5 l. a year; and the fine paid on the last renewal was 390 l.

Petty Tolls.

The Petty Tolls are levied on certain enumerated articles "belonging to any foreigner or other person or persons not being privileged from paying of tolls within the said borough, which shall be conveyed or carried by water or by land to any place or places out of the said borough and the liberties thereof (except into the parts beyond the seas), according to the ancient and accustomed rates." A scale of the rates accompanies our Report. The dues on wool shipped at the port are 2 d. per pack, on timber 3 d. per load. They are all collected at the boal, and are tolls of the same nature as the up-river tolls, which are levied

on

KING'S LYNN.

on corn only, and which are distinguished by a different name, on account of their superior importance.

The amount collected in 1832 was 181*l.* 18*s.* 2*d.*, and the net receipts 161*l.* 12*s.* 3*d.*

Wharfage.

The Wharfage Tolls are collected at the common quay, on goods and mercha ndize loaded and unloaded there. They are of the same kind as the petty tolls; are levied o n the same enumerated articles, and according to the same schedule of rates. The net rece ipts in 1832 were 50*l.* 6*s.* 2*d.* Since 1832, one of the quays, with its warehouse and wharfa ge tolls, has been let to a tenant from year to year, and now produces 71*l.* 10*s.* per annum.

Market Tolls.

The Market Tolls are groundage and stallage or standings.

The former is collected by ancient custom, according to the following scale:

	s.	d.
Tuesday Market Tolls.		
For every basket, sack or barrel	–	1
For every standing not exceeding 60 square feet	–	3
For every standing exceeding 60 square feet, and not exceeding 90 square feet	–	4
For every standing exceeding 90 square feet, and not exceeding 120 square feet	–	6
And for every 60 square feet beyond 120 square feet	–	6
Saturday Market Tolls.		
For every basket, sack or barrel	–	1
For every standing in the shambles there, being either of the four end standings	1	–
The like, if on the north side of the shambles	–	10
The like, if on the south side of the shambles	–	8
The like in the open market-place, not exceeding 60 square feet	–	3
The like, exceeding 60 square feet, and not exceeding 90 square feet	–	4
The like, exceeding 90 square feet, and not exceeding 120 square feet	–	6
The like, for every 60 square feet beyond 120 square feet	–	6
Fish Market Tolls.		
Every person offering for sale any fish except oysters, per day	–	1½
The like, oysters, per day	–	3
The leads in the fish market for the first three months after the arrival of the first coble, per day	–	3
Eel trays, per tray, per day	–	2
Every coble arriving at a public quay (Exclusive of 1*s.* to the town crier and 1*s.* to the water bailiff.)	–	6
Every fish had in either market-place	–	1½

Stallage Rents.

The standage is collected under the authority of a local Act of Parliament. By this Act the corporation were empowered to contract for a new market-house, and to collect stallage rents, in addition to the existing tolls.

The following is the scale fixed by the Act:

	s.	d.
For every basket, sack or barrel	–	2
For every standing, not exceeding 60 square feet	1	–
The like, exceeding 60 square feet, and not exceeding 90 square feet	1	4
For every standing exceeding 90 square feet, and not exceeding 120 square feet	2	–
And for every 60 square feet beyond 120 square feet	2	–

Upon the credit of these rents they were empowered to borrow 3,000*l.* and the rents, subject to a reservation of 60*l.* a year, as a compensation for the site of the market-house, were appropriated, first to the maintenance of the building, and to defray the charges of collection; and then to pay the interest and principal sum borrowed; after which the market-house was to become vested in the corporation, discharged of all demands.

In pursuance of the Act, they caused a market-house and its appropriate buildings to be erected. The total cost, including the expenses of the Act, was 4,300*l.* Of this sum 3,800*l.* were raised by subscription, and the remaining 500*l.* were advanced by the corporation out of their own funds.

It was found, however, impracticable to distinguish the stallage rents from the ancient tolls, and they consequently agreed to take the whole of the new buildings at once upon themselves. An agreement was accordingly entered into by the subscribers, that the new market-house and buildings should be vested in the corporation as their absolute property, in consideration of their paying four per cent. interest on the sum subscribed, and giving their bond for securing the principal, which is payable to every individual subscriber, after six months' notice in writing given to the mayor or town clerk.

KING'S LYNN.

The whole of these tolls are now farmed from year to year at 500*l.* per annum. The net receipts in 1832 were 470*l.* 6*s.* 11*d.* During the first quarter the amount collected was 95*l.* 6*s.* 11*d.*; during the last three quarters the collector has farmed the tolls, paying to the corporation 125*l.* a quarter.

Flour Tolls.

The Flour Toll is an annual payment by every miller bringing flour within the borough. A weekly return is made of the average price of flour, and the toll is two-fifths of the average price of a sack.

The whole amount paid in 1832 was only 8*l.*

Toll-thorough was formerly collected by the corporation, but abandoned about a century ago, on account of its unpopularity. The flour-toll appears to have been reserved.

Metts.

Lastly, tolls are levied for the use of Metts, or Coal Measures, which are provided by the corporation. The rate is 1*s.* for every ship discharging coals in the port; and the amount collected in the same year, 1832 was, 65*l.* 6*s.* 6*d.* Welsh coals alone are exempt.

Amount of Tolls.

Summing up the several amounts collected as tolls in the year 1832, they stand thus:

	£.	s.	d.
Town Dues	2,397	16	3
Up-river Tolls	115	9	10
Petty Tolls	181	18	2
Wharfage	50	6	2
Market Tolls	470	6	11
Flour Tolls	8	—	—
Metts	65	6	6
Amount collected £.	3,289	4	10

5. Cattle Market.

The Cattle Market is the property of the corporation, and is occupied by various tenants under leases for 21 years, commencing in 1826. The gross rent is 80*l.* a year.

4. Mart Rents.

The Mart Rents are paid for booths, shows and stalls, during the fairs held in the month of February. They are farmed at 140*l.* a year.

6. Public Stock.

The Personal Property of the corporation consists of stock in the public funds, and shares in the Cross Keys Bridge undertaking and new Theatre.

The amount of stock is 3,219*l.* 19*s.* 1*d.* in the Three per cent. Consols. The greater part, namely, 2,673*l.* 9*s.* 3*d.*, was purchased with the proceeds of land sold in 1809, to the commissioners of the Eau-brink Drainage, and stands in the name of the Accountant-General. (*See* Alienations.)

The remainder of the stock, namely, 546*l.* 9*s.* 10*d.*, was purchased at different times as an investment of money in hand. The dividends arising from this sum are annually invested, and form with the principal an accumulating fund.

7. Local Securities.

The Cross Keys Bridge undertaking, connecting the Counties of Norfolk and Lincoln, is at present unproductive. The corporation hold eight 50*l.* shares, which they have recently purchased. The object of this unproductive purchase was to encourage an undertaking which is expected to prove beneficial to the town.

The Theatre is also unproductive, at least the returns are not annual. An erroneous estimate had been made for the building, and the contractor afterwards failed. The corporation hold 10 shares of 100*l.* each.

Summary of Revenue.

The following is the chamberlain's summary of his receipts in the year 1831–2:

	£.	s.	d.
Rents	2,773	18	7
Town Dues	2,412	4	0
Mart Rents	140	—	—
Wharfage and Tolls	769	17	4
Fee-farm and Quit Rents	37	5	—
Charities	221	11	2
Interest	88	4	2
Sundries	330	8	11
£.	6,773	9	2
Balance at the audit 1832	838	—	3
TOTAL £.	7,611	9	5

In this abstract of the accountant, the distinct sources of income are not kept separate. Under the head of Town Dues, appear the up-river tolls and metts; and under the head of Wharfage and Tolls, the rents paid by lessees of the cattle market. The Court Leet Returns are included among the sundries in the last amount. This head also includes 200*l.*, the proceeds of two paving bonds; interest on these bonds 4*l.*; the sale of an annuity of 2*l.* 10*s.* for which 61*l.* 19*s.* was received; and other small receipts for wood, &c.

The sum placed under the head of Charities, is the amount of interest and dividends annually received from public stock and other securities which are held by the corporation in

in trust for the hospitals, the schools and the poor. (*See* "Hospital Funds and Charities.")

The interest includes a payment of 8*l.* on two paving bonds, which have been since sold.

The permanent Charges on the corporation property are,—

Charges and Liabilities.

1. Fee-farm and quit-rents reserved to the Crown by the charters. The amount is 33*l.* 19*s.* 6*d.* a year.

2. An ancient payment to the Duchy of Cornwall, in right of the tolbooth and petty tolls. (*See* "Petty Tolls.")

3. The interest on various sums of money received by the corporation, and the proceeds of property vested in them, in trust for various charities. (*See* Charities.)

Debts.

In addition to the sepermanent charges, there is the Market Debt already specified; a further bond debt of 7,800*l.* on which four per cent. interest is paid; and annuities, amounting to 1,239*l.* 18*s.* 6*d.* also secured by the bonds of the corporation.

These debts have been incurred at different periods, commencing in 1792. The following Table shows the sums received by the corporation on the grant of the annuities:

YEARS.	AMOUNT received.			ANNUITY.			AGE of Annuitant.
	£.	s.	d.	£.	s.	d.	
1792	1,000	–	–	80	–	–	35
1807	500	–	–	50	–	–	
1810	1,000	–	–	100	–	–	52
	600	–	–	54	–	–	41
1812	200	–	–	60	–	–	64
	400	–	–	48	–	–	57
1820	821	7	3	60	–	–	38
	300	–	–	27	–	–	47
	900	–	–	70	–	–	45
	700	–	–	70	–	–	50
1822	299	19	6	27	13	6	52
1823	900	–		63	–	–	35
	400	–	–	32	–	–	68
	350	–	–	31	10	–	54
1824	120	–	–	10	–	–	56
	280	–	–	20	–	–	46
1825	200	–	–	18	12	–	57
1826	200	–	–	30	–	–	72
1827	800	–	–	75	–	–	57
1828	100	–	–	8	13	–	
	500	–	–	42	–	–	57
1830	500	–	–	35	–	–	45
	3,000	–	–	220	–	–	45
1832	21	13	–	2	10	–	69
	19	11	–	2	10	–	71
	20	15	–	2	10	–	70
£.	14,133	5	9	1,239	18	6	

It appears from this statement that the total amount received on the grant of annuities was 14,133*l.* 5*s.* 9*d.*, and this added to the principal debt of 7,800*l.* makes a total of 21,933*l.* 5*s.* 9*d.*; so that during the last 40 years the average sum borrowed by the corporation for general purposes and not repaid, has exceeded 500*l.* a year.

The purposes to which these sums were applied will appear under the head of Expenditure.

During the same period other debts were contracted, but debts of equal amount were also paid off.

The annuities have been granted of late years on terms rather more favourable than those of the Norwich Tables, deducting one-fifth from the rate of interest.

In addition to the bond securities, a sum of 5,000*l.*, forming part of the 7,800*l.* is further secured by an equitable mortgage of the Snettisham estate. The creditor in this case is an alderman.

Expenditure, Ordinary.

The Expenditure of the year 1831-2 is arranged in the chamberlain's account under the following heads:

	£.	s.	d.
Rates and Taxes	321	8	6
Land Tax, &c.	304	17	10
Fee-farm and Quit-rents	42	16	6
Town Dues	663	13	4
The Mart	5	13	6
Wharfage and Tolls	249	14	6
Annuities	1,200	–	–
Interest	366	4	–
Charities	646	14	7
Salaries	869	1	2
Gaol and Hall Expenses	436	3	4
Quays, Bridges and Sluices	88	7	9
Law Expenses	703	5	3
Repairs to Lynn Estates	772	2	2
Sundries	200	14	–
£.	6,870	16	5

These several heads comprise payments which are not all of the same kind, and require some explanation.

Rates and Taxes.—This sum is thus composed:

	£.	s.	d.
Paving Rate	157	–	4
Church Rate	22	6	4
Land and Assessed Taxes	59	11	10
Poor Rate and Church Rate on the Markets	82	10	–
£.	321	8	6

These are not the only rates and taxes paid by the corporation. Other sums appear under subsequent heads.

Land Tax, &c.—The land tax amounts to 131 *l.* 1 *s.* 1 *d.* The remainder of this sum is composed of the Eau-brink tax, dikereeve rates, expenditure rate, quit rents and payments for work done upon the estates.

Fee-farm and Quit Rents.—These are the rents reserved to the Crown by the charters, and include the tolbooth rent, paid to the Duchy of Cornwall, which has already been explained.

Town Dues.—This sum includes salaries, poor-rates and other payments, viz.

	£.	s.	d.
Salary of Beaconer	360	–	–
Haven Master	12	–	–
Poor Rate on Dues	162	10	–
New Mooring Pile	44	19	–
New Metts and Repairs	66	5	6
Sundries	17	18	10
£.	663	13	4

The Mart.—This is a payment of 5 *l.* to the ten Red Coats or Guards of the Mart, and 13 *s.* 6 *d.* for cleaning halberts and grinding the axe.

Wharfage and Tolls.—This includes the interest on 3,800 *l.* payable to the subscribers of the new market-house. The particulars are as follows:

	£.	s.	d.
Interest on 3,800 *l.* at four per cent.	152	–	–
Poor Rate	30	–	–
Second contribution of one per cent. upon the claim against the Eau-brink Commissioners	20	–	–
Warehouse Rent for Market Stalls	22	1	–
Repairs	25	13	6
£.	249	14	6

Annuities. Interest.—(*See* "Debts.")

Charities.—These are the annual payments made on account of various gifts and bequests to the corporation for charitable purposes.

The

The following are the principal payments:	£.	s.	d.
Annual payment on Saint Thomas's-day	62	19	8
Easter payments	9	—	—
Weekly payments to the Inmates of the Bede Houses	236	4	6
Legacy to Bede Houses	9	13	2
Coals to Bede Houses	12	18	—
Widows and Token Coals	49	1	11
Annual payment to the Treasurer of the Workhouse and to the Grey Friars	16	—	—
Exhibition to Emanuel College	11	—	—
Gifts and Legacies to Framingham's Hospital	119	—	2
Legacy to Valenger's Hospital	21	—	—
Easter payments to the Churchwardens	16	9	4
Annual payments to the Chapelwardens	11	6	—
Birkbeck's Gift to the Lancastrian School, Lynn Dispensary and Seamen's Society	24	—	—

(*See* "Charities," *post.*)

Salaries.—These include annual payments to the minister of Saint Margaret's, in which parish no tithes are payable; to the lecturer of the chapel, who receives no other salary; and to the master of the grammar school; besides a gratuity to a superannuated serjeant-at-mace.

	£.	s.	d.
Chaplain	200	—	—
as Librarian	2	—	—
in lieu of Herbage	1	12	—
Lecturer	100	—	—
Master of Grammar School	63	—	—
Recorder	80	6	8
Town Clerk	6	17	6
Chamberlain	150	—	—
Sword Bearer	18	10	—
Serjeants-at-Mace	161	—	—
Gaoler	40	—	—
Hall Keeper	5	—	—
Crier	15	—	—
Mayor's Beadle	41	16	—
Gratuities	31	10	—
Water Gate Keepers	1	19	—
Sluice Keeper	—	10	—
TOTAL £.	869	1	2

The salaries of the Beaconer and Haven Master are placed under the head of Town Dues.

Gaol and Hall Expenses.—This sum includes felons' bills, amounting to 119*l.* 19*s.*; the expense of conveying convicts; payments to constables; bills for repairs; coals, wine, and goods furnished to the gaol; besides a sum of 35*l.* 4*s.* 11*d.* for sessions and audit dinners provided for the recorder, officers and constables.

Under this head there is also a charge of 43*l.* 10*s.*, the costs of an action brought against the gaoler. It is the practice of the corporation, if an action is brought against any of their officers, for what he does in the execution of his duty, to pay the costs, whenever it appears that proper caution has been observed. In this case there was a full investigation into the conduct of the gaoler.

Quays, Bridges and Sluices.—This expenditure is for bricklayers, stonemasons and ironwork; repairing the sluice; scouring the fleets and drains; and laying down piles.

Law Expenses.—These are—	£.	s.	d.
Balances due to the late town clerk at Michaelmas 1831	249	19	11
His bill from Michaelmas 1831 to Lady-day 1832	211	16	11
His salary for half a year, from Lady-day to Michaelmas	175	—	—
Stationery for his office	66	—	2
Law reports	—	8	3
£.	703	5	3

The ordinary law expenses are now consolidated in the town clerk's salary. (*See* "Town Clerk.")

Repairs to Lynn Estates.—The corporation are bound to repair certain roads, *ratione tenure*; and they have contracted to pay 100*l.* a year for these repairs. The contractor is the surveyor of roads to an extensive district, and unconnected with the borough.

The cost of timber this year was 231*l.* 9*s.* 8*d.* It was principally supplied by members of the corporation, and partly by the chamberlain.

Payments to corporation labourers, amounting to 229*l.* 15*s.* 2*d.*, form a part of this sum. In the employment of this labour, it does not appear that any favour is shown to the freemen.

Among the remaining charges are 31*l.* 4*s.* 6*d.* for insurance; and 16*l.* 9*s.* 2*d.* for poor rate.

KING'S LYNN.

Sundries.—This head comprises the following payments:	£.	s.	d.
Last Instalment to the Cross Keys Bridge Company	80	–	–
Road Improvements	45	7	6
Draining Land	30	–	–
Payments to Chamberlain, for Stamps, Stationery, Journies, &c.	29	8	–
To Paving Commissioners, for paving the site of the Old Market Cross	10	–	–

The expenditure of 1832 exceeds the income by about 100*l.*; and there was a deficiency in the town dues of nearly the same amount.

The following statement shows the total and average expenditure of the corporation during the last 50 years.

Average Amount of Expenditure.

PERIODS OF TEN YEARS.	Total Expenditure.			Average Expenditure.		
	£.	s.	d.	£.	s.	d.
From 1782 to 1792	44,069	8	–	4,406	18	9
From 1792 to 1802	48,610	9	3	4,861	–	11
From 1802 to 1812	58,093	8	2½	5,809	6	9½
From 1812 to 1822	77,018	12	5½	7,701	17	3
From 1822 to 1832	85,200	2	4	8,520	–	3

The total expenditure during the whole period has been 312,992*l.* 0*s.* 3*d.* The average expenditure has been 6,259*l.* 16*s.* 10*d.* a year.

Excess of Expenditure and its causes.

From a comparison of this expenditure with the ordinary income, it appears that the average excess of the former has been about 500*l.* a year.

Several causes are assigned for this excess.

1. The protection of the Harbour and Town against the sea is an expense constant in its recurrence, but variable in its amount. The extraordinary expenses incurred on this account during the 50 years is estimated at 3,544*l.* 13*s.* 4*d.*

2. Opposition to the Eau-brink Acts was another cause assigned. Apprehensions were entertained that the harbour would be injured, and the town endangered, by the drainage; and these fears are said to have been sanctioned by eminent engineers.

In their opposition to these Acts, the corporation went hand in hand with the inhabitants; and although they were ultimately defeated, they succeeded in the introduction of several clauses by which considerable sums were obtained both for the defence of their harbour, and for compensation to the inhabitants of the town, whose property was damaged by the works. Already 20,000*l.* have been expended upon the harbour under the provisions of the Act; and a further sum of 7,250*l.* remains in the hands of the trustees, applicable to the same purpose. The compensation to individual proprietors obtained by means of a protecting clause which was introduced into the Bill by the corporation amounted to a considerable sum. The expense they incurred in this opposition was 4,044*l.* 13*s.* 1*d.*

3. The Gaol, 25 Bridges, and 19 Wharfs in the town, are maintained out of their funds; and the improvements and extra repairs of the bridges and gaol, during this period, have cost 4,698*l.* 16*s.* 1*d.* One half of this sum was expended in gaol improvements alone.

4. A sum of 3,219*l.* 19*s.* 1*d.* continues invested in the Public Funds, and a further sum of 3,521*l.* 14*s.* 1*d.* has been laid out in the Improvement of their estates, including extraordinary repairs.

5. Their voluntary contributions to Government, between 1790 and 1805, amounted to 1,196*l.* 12*s.*; gratuities to the Poor, to 1,050*l.*; and Subscriptions for various other public purposes to 1,056*l.* 8*s.* 1*d.*

6. The cost of prosecuting Rioters on different occasions, with the expense of a mandamus in 1825, amounted to 1,814*l.* 7*s.* 10*d.* The rule for a mandamus against the magistrates, which caused a part of this expense, was discharged by the Court of King's Bench.

7. Heavy law expenses were incurred between 1796 and 1802, in recovering and establishing their claim to the Town Dues.

8. In addition to the sums enumerated, 400*l.* were contributed in aid of Local Acts; 138*l.* for an Exhibition, and other sums for purposes of a public nature, amounting together to 1,795*l.* 0*s.* 3*d.*

Summary of Extraordinary Expenditure.

The Extraordinary Expenditure therefore of the last 50 years may be summed up thus:—

	£.	s.	d.
Extraordinary expenses incurred in protecting the harbour and town against the sea	3,544	13	4
Expense of opposing the Eau-brink Act	4,044	13	1
Improvements and maintenance of the gaol and bridges	4,698	16	1
Purchases of property	3,679	18	2
Improvements of estates, and extra repairs	3,521	14	1
Subscriptions to Government	1,196	12	–
„ for the poor	1,050	–	–
„ for various public purposes	1,056	8	1
Cost of prosecutions, and extra law expenses	1,814	7	10
Sundries	1,795	–	3
TOTAL £.	26,402	2	11

Distributing

KING'S LYNN.

Distributing this extraordinary expenditure through the 50 years, it appears that the average rather exceeds 500*l.* a year.

This excess has been met partly by alienations, which will presently be stated, but principally by the loans and sums received on the grant of annuities.

The sums received on the grant of annuities, added to the sum borrowed, amount to 21,933*l.* 5*s.* 9*d.* The proceeds of property sold within the same period, deducting the sums invested, were 2,862*l.*—(*See* "Alienations.")—These two sums amount to 24,795*l.* 5*s.* 9*d.*, to which may be added a fine of 1,500*l.* received on the grant of a lease, making altogether 26,295*l.* 5*s.* 9*d.*

The appropriation therefore of the money borrowed, and of the proceeds of property sold, is accounted for by the extraordinary expenditure which has been detailed.

Alienations.

The following are the Alienations of Property during the same period:—

1803.—A tenement in the town, sold to the Rev. Edward Edwards for 200*l.*, which was appropriated to the general payments of the corporation.

1809.—Land in South Lynn, 21 A. & 7 P. in extent, sold to the Commissioners of Drainage, under the Eau-brink Act of Parliament, 35 Geo. III., for 1,830*l.* 8*s.*, which was paid into the Bank of England, where it still remains for the use of the mayor and burgesses.

1814.—Cottages, &c. near the Boal, in King's Lynn, exchanged with the trustees of Thomas Blackburne, esq. for other property. A sum of 291*l.* 11*s.* 8*d.* was paid to the corporation for equality of exchange, and applied in discharge of their general debts.

1815.—St. George's Hall, in King's Lynn, formerly used as a theatre, sold to William Wilson Lee Warner, esq. for 567*l.* 10*s.*, which was applied towards paying the expense of a new theatre.

The purchaser in this case was a member of the corporation.

1816.—A piece of salt marsh in South Lynn, 1 A. 1 R. 5 P. in extent, sold to the Commissioners under the Act for improving the drainage of lands through the River Nar for 50*l.*, which was applied in discharge of the general debts of the corporation.

1820.—Two acres of land, in South Lynn, sold to the Commissioners of Drainage under the Eau-brink Act for 240*l.*, which was applied in discharge of the general debts.

1821.—Two roods of land, in South Lynn, sold to the Commissioners of Drainage under the Eau-brink Act for 30*l.*, and applied in the same way.

1826.—Land in South Lynn, 3 A. & 39 P. in extent, sold for 1,200*l.*, which was applied in building the new grammar school.

1826.—Land in Ingoldisthorpe, 1 A. 2 R. 24 P. in extent, sold for 84*l.*, and applied in discharge of general debts.

1829.—A piece of ground, near the Town-hall, sold for 200*l.*, and this sum was retained by the purchaser, in part payment of 500*l.* which the corporation had engaged to pay him for ground to enlarge the gaol, so that they paid him only 300*l.* on the execution of the conveyance.

Appropriation of Proceeds.

It appears, therefore, that the proceeds of these sales amounted to 4,693*l.* 1*s.* 8*d.*; that of this sum, 1,830*l.* 8*s.* were invested in stock, which is part of the present personal property of the corporation; that of the remaining 2,862*l.* 13*s.* 8*d.*, a sum of 1,200*l.* was employed in building a new grammar school, 200*l.* in the improvements of the gaol, 567*l.* 10*s.* on a theatre, and the remainder in the payment of debts.

Comparing the alienations with the new purchases made within the same period, it appears that the reduction of corporate property does not exceed 1,013*l.* 3*s.* 6*d.*

Financial Prospects.

Recurring to the excess of expenditure over the income, it is not easy to say what are the present financial prospects of this corporation. Both the income and expenditure must from their nature be subject to many contingencies. The town dues vary with every fluctuation of trade, and the bridges, banks and other public works are exposed to many casualties, which cannot be objects of calculation. Within the last 50 years, at least 10 bridges have been entirely rebuilt. In the absence however of extraordinary accidents, and supposing the trade of the town to continue in its present state, it seems probable that the income will in future be found sufficient to meet the expenditure, without the necessity of incurring further debts. The whole of the property is now in a state of good repair, and many of the annuitants are old; so that the present annual charge for the payment of annuities is gradually diminishing, and as it diminishes, an increasing portion of the income is disengaged and becomes available for general purposes. It is the opinion of the chamberlain, who is well acquainted with the state of the property, that in the absence of unforeseen events the present income will be found sufficient to meet the future expenditure.

VII. Funds and Revenues specifically appropriated.

The Funds and Revenues under the control of the corporation, with a specific appropriation, are the following:—

1. Water Rents.
2. Stallage Rents.
3. Hospital Revenues.
4. Various Charity Funds.

1. Water Rents.

By a local Act of Parliament (10 Geo. IV. Sess. 1829) the corporation are entitled to raise rents from the inhabitants for supplying the town with water. The Act recites, that the existing works were "very inadequate to the present wants of the inhabitants of the said borough, and the said mayor and burgesses are desirous at their own expense to render the said works effective."

For these purposes they were empowered to make arrangements with the owners of lands for promoting drainage, to construct the necessary works, and to borrow 10,000*l.* by a mortgage

KING'S LYNN.

mortgage of the rents; the works to continue their property. The following is the scale of rents, which is fixed by the Act:—

	£.	s.	d.	
For every house under 6*l.* rent per annum	–	1	6	Per quarter of a year.
Ditto at 6*l.* and under 8*l.* per annum	–	2	–	
Ditto at 8*l.* and under 10*l.* ditto	–	2	6	
Ditto at 10*l.* and under 12*l.* ditto	–	3	–	
Ditto at 12*l.* and under 14*l.* ditto	–	3	6	
Ditto at 14*l.* and under 16*l.* ditto	–	4	–	
Ditto at 16*l.* and under 18*l.* ditto	–	4	6	
Ditto at 18*l.* and under 20*l.* ditto	–	5	–	
Ditto at 20*l.* and under 25*l.* ditto	–	6	6	
Ditto at 25*l.* and under 30*l.* ditto	–	7	6	
Ditto at 30*l.* and under 35*l.* ditto	–	10	–	
Ditto at 35*l.* and under 40*l.* ditto	–	12	6	
Ditto at 40*l.* and under 50*l.* ditto	–	15	–	
Ditto at 50*l.* and under 60*l.* ditto	–	17	6	
Ditto at 60*l.* and under 70*l.* ditto	1	–	–	
Ditto at 70*l.* and under 85*l.* ditto	1	2	6	
Ditto at 85*l.* and under 100*l.* ditto	1	5	–	
And all at 100*l.* or upwards	1	10	–	

For the water used by any common brewer, or person brewing beer for sale, to be ascertained by the quantity of beer actually brewed – 1*d.* per barrel of beer.

For the water used by any maltster, to be ascertained by the number of lasts of malt actually made – 1*s.* per last of malt.

This scale may be reduced or raised by the corporation, but a maximum and a contingent minimum are fixed by the following proviso:

"Provided always, That the said rents shall not in any case be advanced or raised so as to exceed at the utmost one-third per quarter of a year in addition to the several and respective rates for charging specified in the said first Schedule annexed to this Act: Provided also, That the said rents shall not be lowered or reduced whilst any principal sum borrowed under the powers of this Act in relation to the Waterworks shall remain unpaid."

Appropriation of the Rents.

The appropriation of the rents is as follows:

1st. To pay all expenses attending the supply of water.

2d. To pay the interest on money borrowed, and repay the principal.

3d. To apply the "annual surplus, if any, of the rents to be received for water under the powers of this Act in the purchase of the present subsisting securities called Paving Bonds, given by the Commissioners under the Acts of Parliament now in force for paving and otherwise improving the said borough of King's Lynn, which securities shall immediately thereupon be cancelled by the said mayor and burgesses, for the purpose of extinguishing the debt contracted by the said paving commissioners, which debt cannot otherwise be liquidated, inasmuch as the rates authorized to be levied under the powers contained in the last mentioned Acts are not more than sufficient to defray the current expenses for carrying the same into execution."

The cost of the works was 9,977*l.* 3*s.* 1*d.*

The sum borrowed was 8,000*l.*, and the interest four-and-a-half per cent., since reduced to four per cent.

The annual receipts and expenditure, since the rents were first collected, are shown in the following statement:

Summary of Receipts and Expenditure.

	1829-30.	1830-31.	1831-32.	1832-33.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.
RECEIPTS:				
Annual Rent – £.	1,078 7 6	1,277 17 1	1,304 10 –	1,367 16 8
EXPENDITURE:				
Payment to Corporation for expenses in conducting the Works during 1828 and to Michaelmas 1829	380 19 10	—	—	—
Interest	180 – –	360 – –	360 – –	371 19 7
Salaries; Collector of Rents	100 – –	100 – –	100 – –	100 – –
Master of Waterworks	37 10 –	75 – –	75 – –	75 – –
Engineer and Turncock	47 13 6	111 2 –	106 12 –	106 12 –
Rates and Taxes	6 19 2	18 14 3	10 5 9	16 13 7
Coals and Cartage	– – –	99 3 7	134 1 6	126 4 –
Tradesmen's Bills	40 1 –	28 18 4	36 – 4	98 14 4
Horse-hire	102 8 2	143 8 –	—	—
Sundries	5 7 11	19 6 4	36 3 4	40 7 8
Law expenses	– – –	– – –	128 11 –	—
Balance	177 7 1	499 11 8	817 7 9	1,249 13 3
£.	1,078 7 6	1,455 4 2	1,804 1 8	2,185 4 5

2. The Stallage Rents have been consolidated with the general revenues of the corporation for the reasons before stated. (*See* "Market Tolls.") 2. Stallage Rents.

3. The hospital foundations under the control of the corporation are,— 3. Hospital Revenues.

Gaywood Hospital.
Framingham's Hospital.
Saint James's Hospital.
The Wesleyan Almshouses.

These foundations are endowed with various estates, gifts and bequests for charitable purposes.

The revenues and expenditure of the last year were as follows:

Gaywood Hospital.

Revenue of Gaywood Hospital:	£.	s.	d.
Balance of previous year	358	16	7
Rents of Hospital Lands	324	15	6
Dividends on 735*l.* Navy Five per Cents, due Midsummer 1833	25	14	6
£.	709	6	7
Disbursements:			
Weekly payments to 53 Inmates, from 21 September 1832 to 26 September 1833, at 5*s.* each	278	5	–
Coals and expenses	23	2	8
Tradesmen's Bills—Carpenter's	12	7	5
„ „ Bricklayer's	3	6	10
Repairs, Land Tax, &c.	11	11	1
Insurance	1	–	–
Cutting Trees, &c.	1	10	–
In lieu of Fire-wood for Hospital, one year	2	5	–
Half a year's Rent lost by the Widow Emery, an Insolvent, due Lady-day, 1832	11	12	9
Balance, subject to the under-mentioned Arrears	364	5	10
Arrears 89*l.* 15*s.* £.	709	6	7

Framingham's Hospital.

Revenue of Framingham Hospital:	£.	s.	d.
Balance of previous year	57	12	6
Rent of Estate at Setchy, deducting Land Tax	111	12	–
„ Messuage in Lynn	20	–	–
Annual Gifts and Bequests, viz.			
Corporation Charities	37	7	–
Cooke's	63	–	–
Bateman's	9	13	2
Everard's	9	–	–
Auborne's	3	–	–
Boyce's	2	1	2
£.	313	5	10
Disbursements:			
Weekly payments, at 2*l.* 16*s.* 3*d.*, as per Weekly Book	146	5	–
Monthly payments to two Inmates, 7*s.* 6*d.* each, from the interest of 180*l.*, Alderman Everard's Legacy	9	15	–
Coals	13	10	4
Reader's Stipends, viz.:			
Awborne's Gift	4	–	–
Bateman's	9	13	2
Boyce's	2	1	2
Tradesmen's Bills and Sundries	15	8	1
Balance	112	13	1
£.	313	5	10

Of this balance the sum of 50*l.* has been since applied in part payment of a debt contracted for building and repairs.

The accounts of St. James's Hospital are not kept distinct from the general accounts of the corporation. The payments appear in the chamberlain's account, as payments to the Bede houses. St. James's Hospital.

Wesleyan or Smith's Almshouses.

The only property attached to the Wesleyan Almshouses is an adjoining tenement, a market-house security for 50 *l.* and two paving securities for 100 *l.* each.

Receipts:	£.	s.	d.
Balance from previous year	4	2	8
Rent	12	12	–
Interest on Market-house Security	2	–	–
„ Paving Security	8	–	–
£.	26	14	8
Expenditure:			
Annual payment to Eight Widows, at 50 *s.* each	20	–	–
Bill for Painting	2	11	2
Balance	4	3	6
£.	26	14	8

Miscellaneous Charities.

The various Gifts and Bequests made to the corporation for charitable purposes are arranged in the following list, according to the order of time in which they were made. The Trustees are either the mayor and burgesses, or the mayor, aldermen and common council. In one case, the bequest of John Horne, the trustees are the mayor and aldermen alone. The present application of the funds, and their appropriation by the donors, are placed in immediate *sæquance*.

1. A bequest of 200 *l.*, by the will of John Lonyson, of London, goldsmith, dated 13th May 1581.

To be laid out in land, and the rents employed upon the poor in the new Hospital, now called the Bede House, or Saint James's Hospital.

This sum of 200 *l.* was laid out in the purchase of 75 acres of salt-marsh, or out-marshes in South Lynn, &c., which a century ago were supposed to have been lost. The corporation still pay the sum of 10 *l.* a year to the poor of the parish, under the name of Lonyson's Annuity; but they have no land, the situation of which answers to the description of the 75 acres purchased with this 200 *l.*

2. A bequest of 130 *l.*, by the will of John Titley, of King's Lynn, esquire, dated 14th April 1585; and the will of Elizabeth Titley, his widow, dated 14th February 1595; and an indenture dated 27th October 1606.

Upon trust to put out the same at 1 *s.* 6 *d.* in the pound, (i. e., 9 *l.* 15 *s.* per annum), and to apply the interest as follows: 8 *l.* to maintain two scholars in Emanuel College, Cambridge; 20 *s.* to the use of the master; and 15 *s.* to the use of the mayor and burgesses.

This money was retained by the corporation, and the annual payment, which was afterwards increased to 11 *l.*, has been constantly paid to Emanuel College since the date of the indenture.

3. A bequest, by the will of the said Elizabeth Titley, which directed Thomas Howes, the executor, to purchase land to the value of 40 *l.*, to the use of the mayor and burgesses.

To the intent that they should employ the profits to the use of the preachers of the Word of God in this town.

It appears that 25 *l.*, part of the 40 *l.*, was laid out in the purchase of a stable and garden in Lynn; but it is not exactly known where they are situate, as the conveyance cannot be found, and the abuttals are not shown in the corporation books, further than by stating them to adjoin the house of Mr. Howes, then one of the ministers. The late town clerk recollects a house called the Minister's house, in Broad-street, which has long since been pulled down, and the site of that house and supposed stable and garden now form the entrance to the cattle market.

The corporation received 15 *l.* as the balance of the purchase money, and they pay 40 *s.* annually to the ministers, under the name of Titley's Gift.

4. A bequest of 200 *l.*, by the will of Thomas Grave, of King's Lynn, dated 12th March 1598.

To be put out at interest, at 6 *l.* 13 *s.* 4 *d.* per annum, to be yearly employed, half in coals, and half in money, for the use of the poor.

The 200 *l.* were retained by the corporation. The sum of 6 *l.* 13 *s.* 4 *d.* is annually paid in money, and a certain portion of coals are annually distributed on St. Thomas's day, viz. 352 bushels for this and Awborne's Charity, the cost of which always exceeds 6 *l.* 13 *s.* 4 *d.* more. This payment forms part of the 48 *l.* 0 *s.* 8 *d.*, which appears under the head of Charities in the chamberlain's annual account.

5. A bequest of 100 *l.*, by the will of Thomas Sandyll, of King's Lynn, esq., an alderman, who died in 1613.

To be lent out at 16 *d.* the pound, and the interest to be yearly distributed amongst the poor people of the town for ever.

The 100 *l.* were retained by the corporation, and a sum of 6 *l.* 13 *s.* 4 *d.* is annually paid on Saint Thomas's day, and forms another part of the 48 *l.* 0 *s.* 8 *d.*

6. A bequest of 10 *l.*, by the will of Matthew Clarke, of King's Lynn, an alderman, who died in 1623.

In

In trust, to pay 12*d.* each to 12 poor widows, annually.

The sum of 20*s.* is annually paid to 20 poor widows, and forms another part of the 48*l.* 0*s.* 8*d.*

7. Devise of a house in Nelson-steet, by the will of John Pierson, of King's Lynn, carpenter, dated 22d October 1623.

In trust to be sold, and out of the produce to pay 40*s.* annually to some poor scholar, who should go out of the Lynn grammar school and live in any college in Cambridge, for the first seven years of his abiding there; and 40*s.* annually, in Lent season, to the poor people in the almshouses; and 40*s.* to the poor people in Stonegate ward, in the Lent season.

A payment of 40*s.* is annually made, as Pierson's Exhibition, to a scholar from the grammar school. Another payment of 40*s.* is annually made to the poor inmates of the Bedehouses, under the term "Shift Money;" and a third payment of 40*s.* is annually made to the poor of Stonegate ward. The latter sum also forms part of the 48*l.* 0*s.* 8*d.*

8. A gift of 20*l.*, by Jane Gurlyn, spinster, on 24th August 1635.

To be lent out at interest for three years, according to the purport of Sir Thomas White's gift.

This sum of 20*l.* was lent out till the year 1806. Since then there has been no application for it, and it has remained in the hands of the corporation.

9. A bequest of 30*l.*, by the will of Joan Mayes, dated 1650.

To be put forth at interest, and the interest to be applied in apparelling four aged and godly widows, on the 29th September, two each year.

This money was retained by the corporation; and the sum of 2*l.* was annually paid in satisfaction of this charity until about the year 1740. After that year it is supposed to have been mixed up with the other weekly payments to the inmates of the Bedehouses or St. James's Hospital.

10. A bequest, by the will of John Crane, of Cambridge, esq., dated 26th June 1651, directing his executors to purchase three score and two pounds a year of good lands, the rents of which every fourth year he gave to the town corporate of King's Lynn.

A description of the property purchased, and of the trust under which it is held, will be found in the 19th Report of the Charity Commissioners.

The sum of 200*l.* came into the hands of this corporation out of the annual rent, amounting to 62*l.* per annum, in or about the year 1781. From that time it is said to have been applied, when called for, according to the direction of the donor, with the exception of two sums of 20*l.* each, which have been lost by the insolvency of the parties to whom they were lent.

The rents of the estate which come to this corporation every five years, and which now amount to upwards of 300*l.* a year, are distributed, immediately on coming to hand, among such objects of charity as are selected by the mayor and four chief aldermen; and the names of the donors are now regularly entered in a book kept for that purpose.

A payment of 40*s.* is made to the minister for preaching a sermon, in pursuance of the will.

11. Declaration of trust, dated 1st July 1666, from Sir Thomas White, knight, that a sum of 100*l.* should be paid once in every twenty-four years to this corporation.

To be lent out in sums of 25*l.* each to poor tradesmen for ten years without interest.

The first payment was made to this corporation in 1594. A regular account has been returned to us of all monies received, advanced and repaid since 1754. The balance at that time in hand was 350*l.* The subsequent receipts amount to 1,125*l.* The sums advanced on loans during the whole of this period amount to 575*l.*, and the sums repaid to 825*l.* Since 1800 only five advances have been made, and within the same period as many loans have been repaid. Three are still outstanding.

The amount now in hand applicable to the objects of the charity exceeds 900*l.* No interest is allowed by the corporation. The causes assigned for the few advances which have been made out of this fund are—the difficulty of finding objects answering the description of the trust, and when met with, the difficulty of finding securities. The applications have been few.

12. A bequest of 45*l.* by the will of John Stogers, dated 25th April 1670.

In trust to pay the ministers of St. Margaret 20*s.* yearly, to preach a sermon on the 1st January; 14*s.* to fourteen widowers and widows in Trinity Hall ward; and 10*s.* to the like in Stonegate ward.

Twenty shillings are paid annually to the minister; and 34*s.* to the poor of these three wards. These 34*s.* form another part of the 48*l.* 0*s.* 8*d.*

13. A gift of 100*l.* made by Giles Bridgman, of King's Lynn, esq., an alderman, on the 2d March 1690.

In trust to dispose of the interest thereof annually, as follows (viz.), 4*d.* per week, or 17*s.* 4*d.* annually, to the reader of St. James's Hospital; and 2*d.* per week, or 4*l.* 15*s.* 4*d.* annually, to the eleven widows there.

This interest is annually paid, and forms a part of the weekly allowance to the inmates of St. James's almshouse.

14. A bequest of 100*l.* by the will of Benjamin Holly, of King's Lynn, dated 1704.

To the intent that the interest should be paid as follows; viz., 20*s.* per annum to the poor of Trinity Hall ward; 20*s.* per annum to the poor of New Conduit ward; 20*s.* per annum to

KING'S LYNN.

the poor of Paradise ward; and to each of the other six wards 10*s.* yearly, to be distributed among them at Christmas.

Six pounds are paid annually, according to the will of the donor, and form another part of the 48*l.* 0*s.* 8*d.*

15. A bequest of 200*l.* by the will of Thomas Thurlin, dated 2d September 1708.

Upon condition to pay 6*l.* per annum to a poor scholar from the grammar school of Lynn to St. John's College, Cambridge.

This sum is applied according to the will of the donor, and the scholar appointed to the exhibition invariably receives the arrears.

16. A bequest of 200*l.* by Robert Sparrow, of King's Lynn, esq., who, in his will, dated the 13th August 1814, directed his executors to pay this sum to the mayor and burgesses.

To be laid out in purchasing some meadow or pasture ground in or near the town, and to apply the rents in placing out three poor children as apprentices every other or second year successively; "such children to be sons of sober and honest tradesmen, being freemen, being fatherless, or whose parents should be unable to put them out, to be approved of by the mayor and six senior aldermen."

The money was received by the corporation in 1746, and remained in their hands. No payment was made before 1778, and the simple interest which had then accrued was 256*l.* It appears that on the 26th October 1788 they declared that, as the condition of the will could not then be complied with, some estate belonging to themselves should be charged with the annual sum of 8*l.*, being rather more than the clear rent of such an estate as in the opinion of the corporation could be purchased. No purchase of land has yet been made, and it is said that it would not now be easy to purchase such a meadow as would yield 8*l.*, because the principal part of the land in and near Lynn already belongs to the corporation, or to individuals not likely to bring it into the market.

The corporation have now 222*l.* in hand on account of this charity, in addition to the principal of 200*l.*, there being, it is said, great difficulty in finding such objects as are described in the will of the testator.

17. A bequest of 36*l.* by the will of Mr. John Kidd, of King's Lynn, alderman, dated 1718.

To pay 36*s.* yearly to the churchwardens of St. Margaret's parish.

The sum of 36*s.* forms part of the 16*l.* 9*s.* 4*d.*, which appears in the last audited account as Easter payments to the churchwardens.

18. A bequest of 20*l.* by the will of Margery Brock, dated 1721.

To buy as many coals as come to 20*s.* yearly, to be distributed amongst four poor widows in St. Margaret's parish, who have lived good lives.

The interest on this sum is now applied in purchasing coals on St. Thomas's-day for poor widows, entitled to receive what are called "The Widows' Coals."

19. A bequest of 100*l.* by the will of Mr. Peter Ward, dated 1721.

To the intent to pay 50*s.* yearly to the minister and churchwardens of St. Margaret's parish, for teaching writing and arithmetic to two poor boys, of honest parentage, until they become qualified for business, and then to two others in like manner successively; and the residue of the interest of the said 100*l.* to be laid out in bread by the churchwardens, who are appointed to distribute it to such poor honest men and women as they shall think fit, the first Sunday in every month.

A sum of 5*l.* is annually paid to the churchwardens every Easter day, on account of this charity.

20. A bequest of 600*l.* to the mayor and burgesses by the will of Robert Awborne, of King's Lynn, merchant, dated 21st November 1726.

Upon trust, to distribute 9*l.* some few days before Christmas, amongst the poor people of the several wards in St. Margaret's parish, and so many coals as shall amount to 20*s.*; and amongst the poor people in South Lynn 10*s.* in money, and so many coals as shall be of the value of 10*s.*; and to the poor children in St. James's workhouse 20*s.* on New Year's-day; and to the poor people in Gaywood Hospital, Framingham's Hospital, and St. James's Hospital, 9*l.* equally, allowing each of the masters 1*s.* 3*d.* more than the rest; and to the minister of St. Margaret's 20*s.* annually on Midsummer-day, to preach a sermon on repentance.

The following distributions of money and coals are annually made in pursuance of this trust:

To the poor of the nine wards of St. Margaret's parish 9*l.* in money, and 20*s.* worth of coals.

To the poor in South Lynn, 10*s.* in money and 10*s.* worth of coals.

To the children in the workhouse, 20*s.* in money.

To the inmates of the three hospitals, 9*l.* in money.

To the minister of St. Margaret's, 1*l.* for preaching the sermon.

The 9*l.* 10*s.* distributed in money to the poor forms part of the 48*l.* 0*s.* 8*d.*

21. A gift of 104*l.* by deed of gift from John Goodwin, of King's Lynn, esq. an alderman, dated 25th September 1728.

Upon trust, to pay 2*s.* per week to such freemen as should be elected into the room, called Alderman Goodwin's Room, in Framingham's hospital.

The sum of 5*l.* 4*s.* is paid annually to the governor of Framingham's hospital for this purpose.

22. A bequest of residuary personal estate, amounting to 680*l.* by the will of John Horne, of King's Lynn, schoolmaster, dated 22d April 1731.

To

To be put out at interest, and employed in binding out poor children as apprentices.

The money was retained by the corporation, but the interest is regularly applied for this purpose.

23. A bequest of 150*l.* by a codicil (dated 16th November 1740) to the will of James Boardman.

To distribute the reasonable interest of 100*l.* yearly on Christmas-day, amongst poor persons in Chequer ward and Trinity-hall ward; and to pay the interest of 50*l.* on Christmas-day, among the widows in St. James's hospital.

Four pounds ten shillings are distributed in money on St. Thomas's-day to the inhabitants of those two wards, and form another part of the 48*l.* 0*s.* 8*d.* The sum of 2*l.* 5*s.* is also annually paid to the widows in St. James's hospital.

24. A bequest of 150*l.* by the will of Sarah Dexter, of Lynn, widow, dated 13th April 1753.

In trust, to pay the interest of one moiety of 140*l.* (part thereof), in equal shares, to the poor women living in St. James's hospital; and the interest of the other moiety to the poor men in Framingham's hospital (except the reader); and the interest of 10*l.* annually to the town clerk, for reading the will in St. Nicholas' chapel.

The interest of 140*l.* at five per cent. is yearly paid to the inmates of these hospitals (excepting the readers), and the interest of 10*l.* to the town clerk, who reads the will invariably on Easter day.

25. A gift of 50*l.* from Rebecca Everard, of King's Lynn, widow, dated 2d December 1753.

To be distributed yearly in the purchase of 40*s.* worth of coals, for eight poor widows of the parish of Saint Margaret.

This sum of 40*s.* is annually applied according to the direction of the donor.

26. A gift of 105*l.* from George Hogge, esq. made in February 1760.

Upon trust, to pay 2*s.* weekly to a poor man, in the unendowed room of Framingham's Hospital.

The sum of five guineas is annually paid on account of this charity to the governor of Framingham's Hospital.

27. A bequest of 300*l.* by a codicil to the will of Martha Kett, of King's Lynn, widow, dated 1st September 1764.

For the benefit of the poor in St. James's Hospital.

The interest of 300*l.* at five per cent. is annually paid to St. James's Hospital, in respect of this legacy. This forms part of the 233*l.* 7*s.* 6*d.* which appear in the audited account as payments to the bede houses. Mrs. Kett died in 1771, and at her death the corporation increased the weekly allowance to the inmates from 19*s.* 8*d.* per week to 1*l.* 5*s.* 5*d.* per week, which was equivalent to the interest of 300*l.* at five per cent., and this payment has since been continued regularly.

28. A bequest of 250*l.* by the will of William Pagon, Norwich, schoolmaster, dated 26th June 1769.

For Framingham's Hospital.

The sum of 10*l.* is annually paid on account of this charity to the governor of Framingham's Hospital.

29. A bequest of a security in the East Gate Turnpike for 100*l.*, by the will of the Rev. W. Everard, of King's Lynn, dated 3d April 1777.

The interest to be laid out in coals, to be distributed to poor families in not less than four metts each.

The interest of this sum is annually laid out in coals, according to the directions of the donor, and forms part of the expenditure "for widows' coals."

30. A bequest of 36*l.* by the will of John Stapleton, cork-cutter, dated 18th May 1778.

Upon trust, to pay the interest yearly to the wardens of St. Nicholas' Chapel, for the purpose of being distributed in bread, upon certain Sundays, yearly.

The sum of 1*l.* 16*s.* is annually paid by the corporation to the chapelwardens.

31. A bequest of 200*l.* by the will of Mary Leake, of King's Lynn, widow, dated 14th December 1781.

To be placed out at interest, and the interest to be applied yearly in placing a boy, belonging to Lynn, as an apprentice to some mechanic.

This money has not been placed out at interest, but remains in the hands of the corporation, who gave a bond to the executors for the amount. For 30 years, from 1794 to 1824, not more than 40*l.* had been applied to the purposes of this charity, and there was consequently due a sum of 260*l.* for interest during that period. Since then the whole of the money has been advanced.

The advance was first limited to 10*l.*, and while this limitation existed few applications were made. The sum was afterwards increased to 20*l.*, and the applications became numerous.

32. A gift of 200*l.* from Philip Case, of King's Lynn, esquire, an alderman, made on the 4th June 1784.

With the intent that the interest and produce thereof, either in land, rent or money, might be applied for the benefit of the poor men in Framingham's Hospital.

The sum of 10*l.* is annually paid to the governor of Framingham's Hospital, as interest on this sum.

KING'S LYNN.

33. A bequest of 100*l.* by the will of Samuel Browne, of King's Lynn, merchant, dated 10th September 1784.

The interest to be paid to the alderman of Stonegate Ward, to be by him distributed to the poor of that ward.

This interest is applied according to the directions of the donor, and forms part of the 48*l.* 0*s.* 8*d.*

34. A bequest of 630*l.* stock, in the Three per cents. Consols, by the will of Ann Carlton, of King's Lynn, widow, dated 26th July 1790.

Upon trust, to distribute the dividends on 300*l.* stock among the widows in the Bede-houses equally, for the increase of their weekly payments; and the remaining 330*l.* stock to be held in trust for the inmates of Framingham's Hospital.

A sum of 9*l.*, part of the dividends of this stock, is paid to the inmates of the Bede-house, and the residue is paid to the inmates of Framingham's Hospital, by an increased allowance, which commenced in 1791.

35. A bequest of 300*l.*, by the will of Catherine Barwell, of King's Lynn, spinster, dated 25th May 1792.

Upon trust, to invest the money in the funds, and to apply the dividends in the yearly purchase of coals, to be distributed amongst old indigent single women or widows, inhabitants of King's Lynn, not in the workhouse nor receiving parish relief.

This sum of 300*l.* was invested in the purchase of 392*l.* 10*s.* Three per cent. Consols, yielding 11*l.* 15*s.* 2*d.*, which are annually expended for "the widows' coals."

36. A bequest by the will of Elizabeth Bateman, of King's Lynn, spinster, dated 28th June 1802, which directs her executrix to invest 500*l.* in the public funds.

To apply the dividends equally between the pensioners of the Bede-house or St. James's Hospital, and those of Broad-street, otherwise Framingham's Hospital.

The dividends on 483*l.* Navy Four per Cents. purchased with that sum, and yielding 9*l.* 3*s.* 2*d.* every half year, are paid to those hospitals in equal moieties every year.

37. A bequest of 200*l.*, by the will of Elizabeth Marshall, of King's Lynn, widow, dated 25th August 1797.

Upon trust, to pay the interest yearly, in equal proportions, to four poor widows of the borough, the preference to be given to the nominees of her representatives.

The interest of this sum at five per cent. is yearly applied according to the direction of the testatrix.

38. Three several bequests of 2,300*l.* Three per cent. Consols, 2,100*l.* like stock, and 700*l.* like stock, by the will of Thomas Cooke, of Pentonville, esquire, dated 28th March 1810.

In trust, to apply weekly the dividends of the first bequest for the relief of the inmates of St. James's Hospital; and the second for the relief of the inmates of Framingham's Hospital; and the third for the relief of the inmates of Valenger's Hospital.

These dividends are applied according to the directions of the testator.

39. A bequest of 100*l.*, by the will of Edward Everard, esquire, dated 13th December 1816.

On trust, to pay the interest among such poor persons in King's Lynn, as the mayor, aldermen and common council should deem proper objects of charity.

The sum of 5*l.* is annually paid to the poor in each of the ten wards; viz. 10*s.* to each ward; and these payments form part of the 48*l.* 0*s.* 8*d.*

40. A bequest of 200*l.* by the will of Edward Everard, esquire, dated 12th August 1822.

In trust, to apply the interest among the poor of such of the wards within the borough, as in the judgment of the trustees shall most require the same.

The interest of 180*l.* (the legacy duty having been deducted) is annually divided between the pensioners of Framingham's Hospital, not participating in the other funds of that institution.

41. An assignment of a security, marked No. 99, for 100*l.* under the Lynn Paving Acts, and of nine other securities for 400*l.*, under the Chatteris Turnpike Act, the gift of Henry Birkbeck, of King's Lynn, esquire, by indenture, dated 2d May 1826.

Upon trust, to pay to the treasurer of the Lancasterian school in King's Lynn, the interest on the 100*l.* due upon the pavement security; and upon trust to pay to the treasurer of the Lynn Dispensary the interest of the principal sums of 50*l.*, 25*l.*, 50*l.* and 75*l.* due upon four of the latter securities; and upon trust, to pay the treasurer of the society at King's Lynn for maimed and disabled seamen, to be applied for the purposes of the society, the interest of the five remaining securities.

The interest of these several securities is yearly applied according to the directions of the donor.

42. A gift of 1,000*l.* by Mr. Benjamin Smith, of King's Lynn, gentleman, made on the 3d of March 1829.

For the purpose of building and endowing certain almshouses, called the Wesleyan Almshouses.

A house adjoining was built with part of the 1,000*l.*, and is now let for 12*l.* 12*s.* per annum. The remainder was vested in two paving securities of 100*l.* each, and one security of 50*l.* on the market tolls.

The

The rent of the house and the interest of these securities are applied according to the intention of the donor.

43. A gift of three several securities for 100*l.* each, by Thomas Oldmeadow, of North Runcton, gentleman, made on the 14th February 1833.

In trust, to pay the interest after his death to the reader of Framingham's Hospital, St. James's Hospital and Gaywood Hospital.

The donor died on the 15th October 1833.*

VIII. STATE of the TOWN.

The statistical condition of the town, its progress in population and trade, and the amount of its local taxation, may be collected from the following official returns:—

Population.

1. Population:

1801	10,096
1811	10,259
1821	12,253
1831	13,370

The number of males in 1831 was 5,972. These are the numbers stated in the corporation return. The Boundary Commissioners report them to be erroneous, and state the total population of 1831 to be 11,905.

Occupations.

2. Occupations:

Families	Agricultural	24
	Trading, manufacturing, &c.	1,736
	Not comprised in these classes	1,275

Houses.

3. Houses:

Number assessed at 10*l.* and under 20*l.* a year	263
„ 20*l.* „ 40*l.* „	68
„ 40*l.* and upwards „	3
Number assessed at 10*l.* and upwards	334

The total number is 2,323.

Parliamentary Constituency.

4. Parliamentary Constituency:

	Freemen.	Householders.	Total.
1832	253	572	825
1833	257	608	865

Real Property.

5. Annual value of real property:

In 1815 it was returned £.25,180

Local Taxation.

6. Parochial Assessments:

1830	£.8,607 17 8
1831	8,451 3 4
1832	8,996 2 1

7. Paving Rate:

1830	£.2,997 11 8
1831	3,002 5 6
1832	2,995 6 3

8. Assessed taxes:

1830	£.2,570 15 1
1831	2,635 14 —
1832	2,644 19 9

9. Port Dues. (*See* "Corporation Property. Town Dues.")

In addition to the town dues levied by the corporation, other dues are levied in the port by the Pilot and Anchor Commissioners, under the authority of a local Act (13 Geo. III. c. 30.)

These dues are rated on the goods, but levied on the ship.

If a British ship, they are—

1*d.* per chaldron on all coals imported, and 1*d.* per ton on goods and grain, either laden or unladen. If a foreign ship they are double.

The amount raised during the years 1830, 1831 and 1832, were as follows:

1830	£.1,073 18 4
1831	980 19 4
1832	1,112 9 4

They are exclusively appropriated to the maintenance of moorings in the harbour.

10. NUMBER

* Since the close of our inquiry, two further bequests have been made to this corporation, for charitable purposes. The first is a bequest of 6,000*l.* by the will of Henry Elsden, esq; the second is a bequest of 500*l.* by W. Bagge, esq., an alderman of the borough.

KING'S LYNN.

10. Number and Tonnage of Ships cleared Inwards and Outwards.

Trade.

YEARS.	FOREIGN.				COASTWISE.				Vessels belonging to the Port.
	Inwards.		Outwards.		Inwards.		Outwards.		
	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.	
1813 - -	23	4,438	8	911	- -	- -	- -	- -	No record in the Office for these years.
1814 - -	26	4,743	3	355	- -	- -	- -	- -	
1815 - -	52	10,251	14	1,703	- -	- -	- -	- -	
1816 - -	24	4,428	35	4,550	- -	- -	- -	- -	
1817 - -	36	6,371	68	7,321	No record in the Office for these years.				139
1818 - -	77	13,036	2	248					135
1819 - -	103	15,710	2	175	- -	- -	- -	- -	136
1820 - -	69	10,988	3	138	- -	- -	- -	- -	143
1821 - -	43	7,736	2	221	- -	- -	- -	- -	141
1822 - -	46	8,437	4	443	- -	- -	- -	- -	135
1823 - -	67	10,966	4	295	1,772	167,924	813	56,161	125
1824 - -	108	13,337	- -	- -	1,756	164,785	939	67,746	121
1825 - -	159	19,254	- -	- -	1,630	159,835	753	51,017	112
1826 - -	187	18,065	2	201	1,706	170,112	969	63,331	120
1827 - -	147	16,496	- -	- -	1,622	158,147	926	61,108	112
1828 - -	113	15,268	- -	- -	1,784	174,689	907	61,179	117
1829 - -	116	16,350	- -	- -	1,714	171,046	744	52,060	118
1830 - -	119	15,194	1	81	1,810	182,712	921	62,494	119
1831 - -	149	18,619	2	279	1,843	181,754	680	47,662	116
1832 - -	123	16,783	- -	- -	2,165	201,732	985	64,549	122

11. The Receipts of Customs during the same years have been as follows:

YEARS.	RECEIPTS.			YEARS.	RECEIPTS.		
	£.	s.	d.		£.	s.	d.
1813 - - -	71,817	10	1	1823 - - -	78,074	2	8
1814 - - -	72,386	6	2	1824 - - -	78,166	11	11
1815 - - -	80,465	9	-	1825 - - -	94,791	8	6
1816 - - -	60,670	1	9	1826 - - -	85,851	15	5
1817 - - -	63,564	17	3	1827 - - -	81,903	8	3
1818 - - -	85,242	16	11	1828 - - -	88,567	4	6
1819 - - -	75,854	13	-	1829 - - -	88,751	19	4
1820 - - -	81,407	15	9	1830 - - -	86,495	16	11
1821 - - -	62,358	5	2	1831 - - -	45,732	3	10
1822 - - -	62,499	9	4	1832 - - -	38,902	9	10

The falling off in the receipts has arisen from the repeal of duties on coals.
The trade both in coals and in corn have been increasing. The town is well provided with schools, and labour is generally well paid.

Local Acts.

The Local Acts affecting this borough are—

1. An Act touching Worsted Weavers of Yarmouth and Linn; 14 & 15 Hen. VIII. c. 3.
2. An Act for the re-edifying of void Grounds within the town of Linn; 26 Hen. VIII.
3. An Act concerning the Assurance of all the Temporalities belonging unto the Bishoprick of Norwich, unto the King's Highness and his Heirs; 27 Hen. VIII.
4. An Act for re-edifying of decayed Houses in sundry towns and places of the Realm (Linn being included); 32 Hen. VIII.
5. An Act for the keeping of a Mart or Fair once a year in the town of King's Lynn, in the county of Norfolk; 1st Elizabeth.
6. An Act for erecting Hospitals and Workhouses within the borough of King's Lynn, in the county of Norfolk, for the better employing and maintaining the Poor there; 12 & 13 Will. III.
7. An Act to amend and enlarge the powers of the last-mentioned Act; 48 Geo. II.
8. An Act to enable the Parishioners of the parish of St. Margaret, within the borough of King's Lynn, in the county of Norfolk, to raise Money by Rates upon themselves for finishing the Church of the said parish; 18 Geo. II.
9. An Act for making the River Nar navigable from the town and port of King's Lynn to Westacre, in the county of Norfolk; 24 Geo. III.
10. An Act to enlarge the powers of the last-mentioned Act; 10 Geo. III.

11. An

11. An Act for improving the Navigation from Salter's Lode Sluice; 27 Geo. II.

Some members of the corporation are commissioners, *ex officio*, under this Act, but it can scarcely be said to be one of the Lynn Local Acts, although the merchants are much interested in the navigation through the sluice in question.

12. An Act for the more easy and speedy recovery of small Debts within the Borough of King's Lynn and the Liberties thereof; 10 Geo. III.

13. An Act for the better regulation and government of Pilots conducting Ships and Vessels to and out of the port of King's Lynn, and of the Bridgemen conducting Gangs of Lighters or Barges to and from the same, and for laying down Moorings in the Harbour of the said port, and for preventing mischiefs by Fire therein; 12 Geo. III.

14. An Act for empowering Persons navigating Boats, Barges and other Vessels, in the River Ouze, in the County of Norfolk, to hale or tow with Horses and other Beasts, on the Banks or Sea Walls of the said River, and for making satisfaction to the Owners of the said Banks or Sea Walls; 30 Geo. III.

15. An Act for paving, cleansing, lighting, watching and improving the Borough of King's Lynn, in the County of Norfolk, and for removing Nuisances and Annoyances therein, and for holding the Saturday and Beast Markets within more convenient parts of the said Borough; 43 Geo. III.

16. An Act for amending and enlarging the Powers of the last-mentioned Act; 46 Geo. III.

17. An Act for more effectually supplying the Inhabitants of the Borough of King's Lynn with Water, and for regulating the Markets, and Vessels using the Port thereof; 10 Geo. IV.

18. An Act for the better levying and collecting the Rates for the Relief and Maintenance of the Poor of the Parish of South Lynn, otherwise All Saints, in the Borough of King's Lynn, in the County of Norfolk, by assessing the Owners of certain Messuages and other Property in the said Parish, instead of the Occupiers thereof; and also for erecting a Workhouse in the same Parish; 5 Geo. IV.

Eau-Brink Acts.

19. An Act for improving the Drainage of the Middle and South Levels, part of the great Levels of the Fens, called Bedford Level; and the low Lands adjoining or near to the said Levels; as also the Lands adjoining or near to the River Ouze, in the County of Norfolk, draining through the same, to Sea, by the Harbour of King's Lynn, in the said County; and for altering and improving the Navigation of the said River Ouze, from or near a place called Eau-brink, in the Parish of Wiggenhall Saint Mary, in the said County, to the said Harbour of King's Lynn; and for improving and preserving the Navigation of the several Rivers communicating with the said River Ouze; 35 Geo. III. c. 77.

20. An Act to extend the Term of 35 Geo. III. c. 77; 36 Geo. III. c. 33.

21. An Act to explain and amend 35 Geo. III. c. 77; 45 Geo. III. c. 72.

22. An Act for amending the several Acts before mentioned; 56 Geo. III. c. 38.

23. An Act for increasing the Fund for carrying into execution the foregoing Acts; 58 Geo. III. c. 48.

24. An Act for altering and enlarging the Powers of the several foregoing Acts; 59 Geo. III. c. 79.

25. An Act for altering and enlarging the Powers of the foregoing Acts; 1 & 2 Geo. IV. c. 64.

26. An Act to alter, amend and enlarge the Powers of the several before-mentioned Acts; 1 & 2 William IV.

X. Summary and Observations.

The Franchise of this borough is very limited in its extent. The great majority both of the inhabitants and of the rate-payers are excluded from the corporation; and the freemen exercise no control over the corporate authorities.

The Municipal Government and the Administration of Justice, are vested in a self-elected body, without local responsibility.

This body is composed of a mayor, 12 aldermen and 18 common councilmen. The mayor is annually elected by the common councilmen; the aldermen and common councilmen mutually

KING'S LYNN.

mutually elect each other, and retain their offices for life. Aldermen only are eligible to the mayoralty, and the magistracy is composed of those who have served the office of mayor.

Such is the Constitution of the governing body and of the municipal magistracy.

The former is invested by the early charters of the borough with the functions of a local parliament. It is empowered to make laws for the inhabitants, and to impose taxes for the defence of the town and the port, and for other necessary purposes. All the corporate officers, judicial and ministerial, are appointed either by the whole body or by its component parts. It confers the franchise of the borough without restriction, and with the franchise important mercantile privileges. It has the unchecked control of revenues exceeding 6,000*l.* a year, and the administration of other funds appropriated to specific purposes, including those of various charities.

These are the powers intrusted to the members of this self-elected and irresponsible municipal body.

The criminal jurisdiction of the magistracy, which is a component part of the body, extends to all crimes except high treason; and the civil jurisdiction of the mayor extends to actions of every kind.

In the selection of persons for the exercise of these powers, they profess to seek no other qualification than respectability, intelligence and property; and we see no reason to doubt that the present municipal authorities possess these qualifications.

There is no exclusion from office founded on political or religious differences; and if the connexion between the magistracy and council presents the appearance of a family compact, it is sufficiently accounted for without supposing an exclusive spirit injurious to the local interests. Lynn is a commercial town, in which the leading bankers and merchants are connected by family ties; and the members of the ruling body have been chiefly selected from this class of the community. Into this company of merchants the tradesmen of the town have not been admitted, and the supposed repugnance of the former to act as the colleagues of the latter, in the administration of their trust, has created some dissatisfaction. Under the present constitution the selection of a few individuals from a large body of tradesmen would probably have created new jealousies and equal dissatisfaction. It does not appear that persons better qualified for the performance of magisterial duties, or for the duties of any other municipal office, have been passed over by the ruling body in favour of their own family connexions; but the complaint is, that a preference has been shown to these connexions, while others as well qualified for office have not been elected.

That they have shown a preference is clear: that the interests of the borough could have been placed in better hands is at least doubtful: that those interests have been faithfully guarded appears to us to be the fair result of the evidence we have reported.

Having the privilege of conferring the franchise at their discretion, they do not appear to have abused the privilege for party or political purposes; and although sons and nephews of the members have in some instances been created honorary freemen, their creation has been for a distinct and legitimate object, which was accomplished; nor do we see any reason to suppose that other individuals in the same station of life, and possessing the same qualifications, might not have obtained the freedom upon the same conditions. All those to whom it was presented have been elected to the municipal offices which they had undertaken to serve, and, with one exception, they derived no personal advantage from the exemptions incident to the franchise.

Those Exemptions are very important to merchants, and the importance attached to them led us to examine circumstantially every instance of admission where there was no legal title. The result of the inquiry was, that with the one exception mentioned, all those who were engaged in shipping and commerce would have been legally entitled to their freedom, as apprentices, before they derived any personal benefit from its mercantile privileges.

The refusal to confer it, where the avowed object was to purchase an exemption from the town dues, is another subject of complaint.

This refusal is justified on public grounds. The revenues of the town must have suffered from the reduction of these dues, and while the advantage would be confined to the merchants who were enfranchised, the burden must have fallen on the inhabitants at large, who would have been taxed to make up the deficiency. Extravagance is not imputed to the corporation, and no other means would have been left to provide for the necessary expenses of the borough. These Tolls are in themselves very objectionable, and give an undue advantage to the freemen engaged in trade.

Passing from the constitutional powers of this body to the judicial functions of its officers, we find them to be diligently and impartially performed. No party character appears in the magistracy, nor is the administration of justice infected with political suspicions.

The

The sessions are regularly held, and fully attended by the municipal authorities. The juries are respectable, and impannelled by the town clerk without the slightest reference to political opinions. Upon this subject there is no dissatisfaction.

The local court for civil actions is still in use, and there is every disposition to render it practically effective.

The police is in general efficient, and, like the magistracy, is free from any party character.

The borough gaol and other public buildings are maintained at the expense of the corporation.

Their Property was originally granted for the protection of the town and harbour, which are continually exposed to danger from storms and high tides. Its revenues are applied in conformity with this purpose, or to other objects of local utility.

The superintendence of the estates is intrusted to an experienced land-surveyor, and they are all reported to be in good condition. The rents fixed by his valuation are the rents actually paid.

A heavy debt has been contracted, but the monies borrowed are fully accounted for, and the expenditure was for public purposes. Nor is the debt itself of such a nature as to be a permanent burden on the property.

No charges were brought against this corporation of monies misapplied, nor was it suggested by any of the inhabitants, who attended in great numbers throughout the municipal inquiry, that, in the control of this revenue, the public interests of the town had been sacrificed either to party purposes, or to the private interests of the members.

There can be no doubt that the town of Lynn derives considerable benefit from the property and revenues intrusted to its corporation. Many efficient officers are salaried, besides the minister and lecturer of the principal parish in the borough. The gaol, the house of correction, numerous bridges, wharfs, quays and roads, are maintained in good repair The Grammar and Lancastrian schools are occupied rent-free; and the health and convenience of the inhabitants are promoted by the maintenance of public walks and plantations.

On many occasions the corporation have come forward to share the expense of public undertakings, which were likely to prove beneficial to the town.

In conclusion, while we recall attention to the limited extension of the franchise, and to the absence of official responsibility, as defects in the constitution, we report this corporation to be at present an useful and efficient municipal body, distinguished by its respectability and intelligence.

The Documents accompanying this Report are— Documents.

1. Translations of the Governing Charters, viz.:
   - Charter of - - - 16 Hen. VIII.
   - Charter of - - - 29 Hen. VIII.
   - Charter of - - - 2 Edw. VI.
   - Charter of - 4 & 5 P. & M.
   - Charter of - - - 2 Jas. I.
   - Charter of - - - 17 Car. II.
   - Charter of - - - 11 Geo. II.
2. A Chart of the Admiralty Jurisdiction.
3. A Copy of the Bye-laws made in 1831.
4. A Return of the Names, Occupations and Residences of the Municipal Magistrates.
5. A List of the registered Freemen, with their several Occupations and Assessments in the Borough.
6. Tables of the Fees taken in the Borough Courts.
7. A Schedule of the Corporation Property.
8. A Schedule of the Petty Tolls levied by the Corporation.
9. A Schedule of Permanent Debts.
10. The Chamberlain's Account of the Receipts and Expenditure for the Year 1831–2.

KING'S LYNN.

11. A Statement of the Gross Receipts and Expenditure during the last 50 Years.
12. A Statement of Extraordinary Disbursements during the same period.
13. A Schedule of Property alienated during the same period.
14. An Account of the Expenditure of the Water Rents for the Years 1830–1–2–3.
15. Copies of the last Audited Accounts of the Treasurers of the several Hospitals.

Geo. Long.
John Buckle.

REPORT

ON THE

BOROUGH OF MALDON,

(ESSEX.)

CONTENTS.

	Page
I. Limits, Extent and Population	2431
II. Incorporation and Charters	2431
Charters, Hen. II. 7 Oct. 1155	2431
18 Edw. I.	2431
1 Ric. II.	2431
2 Hen. IV.	2431
License, Hen. IV. and Grant by the Bishop of London	2431
Charter, 4 Hen. V.	2431
32 Hen. VI.	2431
17 Hen. VIII.	2431
1 Mary	2431
1 & 2 Phil. & Mary	2431
1 Eliz.	2431
34 Eliz.	2431
2 Jam. I.	2431
6 Car. II.	2431
Dissolution of the Corporation	2431
History of the Charter 50 Geo. III.	2432
III. Corporate Body and its Constitution	2434
Title	2434
Enumeration of Officers and Freemen	2434
Official Body	2434
1. Officers composing the Council	2434
Mayor	2434
Aldermen	2435
Capital Burgesses	2437
2. The Common Council	2437
3. Officers appointed for life by the Mayor and Aldermen	2438
Recorder	2438
Town Clerk	2438
Coroner	2438
Water-Bailiff	2438
4. Officers annually appointed by the Common Council	2439
Chamberlain	2439
Serjeants at Mace	2440
Town Crier	2440
Gaoler	2440
Chief Constable	2440
Clerk of the Market	2440
Constables	2440
Freemen	2440
Title to the Freedom	2440
Birth	2440
Marriage	2440
Servitude	2440
Purchase	2440
Gift	2441
Admissions under the New Charter	2441
Admissions preparatory to a contested Election	2442
Admissions during the Poll	2442
Collective Functions and Privileges	2443
Character of the Freemen as an Electoral Body	2444
Personal Exemptions and Privileges	2445
Former connexion between Corporate Privileges and Local Taxation	2445
Present Distribution of the Franchise	2445
IV. Jurisdiction, Nature and Extent	2446
Magistracy	2446
Local Courts	2446
1. Sessions, Quarter	2446
Juries	2446
Borough Rate	2446
Petty	2447
2. Of Record	2447
3. Admiralty	2447
4. Pie Poudre	2447
Police	2447
Gaol	2447
Licenses	2448
Proposed extension of the Jurisdiction	2448
V. Patronage	2448
VI. Property	2448
Income	2449
Charges	2449
Expenditure	2449
Accounts	2449
Alienations	2449
VII. State of the Town	2451
Population	2451
Occupations	2451
Houses	2452
Property	2452
Local Taxation	2452
Trade	2452
Local Acts	2452
VIII. Summary and Observations	2453
IX. Documents	2453

BOROUGH OF MALDON.

I. LIMITS, Extent and Population.

THE Municipal borough of Maldon is co-extensive with the three parishes of All Saints, Saint Peter, and Saint Mary. It comprises the whole of the town, and extends over 2,700 English statute acres.

The port and the Blackwater River, as far as Knowle Sand, is also within the corporate jurisdiction. The boundaries, both by land and water, are described with great minuteness in the charters, and in 1813 were perambulated by the corporation.

According to the last census, the borough contains a Population of 3,831 inhabitants.

The new Parliamentary borough has been formed by adding to the municipal borough the adjoining parish of Heybridge, with a population of 1,064 inhabitants.

II. INCORPORATION and CHARTERS.

Maldon claims to be a borough by prescription.

The earliest Charter known to the present corporate authorities was granted in 1155, by Hen. II., who gave to the burgesses all the lands and possessions which they then held of the Crown, together with their ancient bounds, to hold for the future with sac and soc, &c. and all their liberties and free customs, by the tenure of free burgage. The service reserved was the supply of one ship, to be sent to battle on the affairs of the nation when summoned by the King, and to remain for 40 days at their own expense, as in the time of Henry, his grandfather. Hen. 2. 7 Oct. 1155.

This charter was confirmed by an *inspeximus* of Edw. I., dated 6 June 1290; again by an *inspeximus* of Rich. II., dated 10 Jan. 1378; and again by Hen. IV. in the second year of his reign. 18 Edw. 1. 1 Ric 2 2 Hen. 4.

At this period the Seigniory of the town was held by the Bishop of London, under a charter of Rich. II.

License by Hen. 4. and Grant by the Bishop of London.

Henry, in the 5th year of his reign, granted a Special License to all the men dwelling, residing and inhabiting in the town, and to all the Commonalty, to hold of the bishop the Mote Hall, with all vacant places in the town, and a marsh called Portmen Marsh, then used for depasturing cattle; together with a rent of assize called Hadgavel; a view of Frankpledge, with three other general courts held at the will of the bishop; a toll called Toltney, levied on ships bringing salt within the port; and the custom of Landchepe, exacted from all purchasers of lands and tenements within the town. The reservation to the bishop was a fee-farm rent of 10 marks, with some other rights specified in the license.

The principal property which the corporation formerly held, was derived from the grant made under this license of the King. They still continue to pay the fee-farm rent, but the marshes have been alienated, and the tolls lost.

The preceding charters were successively confirmed by

Hen. V. in 1417,	4 Hen. 5.
Hen. VI. in 1454,	32 Hen. 6.
Hen. VIII. in 1525.	17 Hen. 8.

Queen Mary, in the first year of her reign, granted a new charter, in which no corporate officers were appointed. To supply this omission, another charter was granted by Philip and Mary, dated 25 February 1554, which was afterwards confirmed by Parliament. This charter fixes the boundary of the borough, both by land and water; prohibits, on pain of forfeiture, the sale of any merchandize imported within these boundaries without the consent of the bailiffs; grants the customs of waters and water banks; empowers the corporation to make bye-laws for the assessment of the mysteries and merchandize; and confirms all former grants. The service reserved to the Crown is the same as in the charter of Hen. II. 1 Mary. 1 & 2 Phil. & M.

This charter was twice confirmed by Elizabeth, in the first and thirty-fourth years of her reign. 1 Eliz. 34 Eliz.

There is also an *inspeximus* roll of Jam. I., dated 6 November 1605, to which no seal is annexed. 2 James 1.

The last confirmation was by Charles II., in the sixth year of his reign. 6 Car. 2.

Dissolution of the Corporation in 1768.

In 1768 the Bailiffs, then the head of the corporate body, were illegally elected, and judgment of ouster was obtained against them. The time for a new election was suffered to elapse, and the corporation was dissolved.

One of its last acts before the dissolution was, to mortgage the property and charters of the borough to the town clerk. The further history of this mortgage will appear among the acts of the existing corporation.

While all the other corporate functions were suspended, the freemen continued to return two Members of Parliament for the borough, and for many years no attempt was made to obtain a new charter. In the meantime, as no further admission could take place, the number of

MALDON.
Political origin of the Charter 50 Geo. III.

of freemen was gradually reduced till, in 1806, there were only 10 resident voters in the borough. The resident Constituency at that time consisted of a victualler, a carter, a currier, two shoemakers, three cordwainers, and two gentlemen.

In this year a candidate was invited to the borough expressly to procure a new charter, and after depositing 1,000*l.* towards the expense of obtaining it, he was returned, though afterwards unseated upon a petition. In 1807 he was again supported on the same grounds.

Colonel Strutt, who had succeeded his father in the representation of the borough, was at this time one of the members, and for several successive Parliaments he had been returned by a decided majority of this limited constituency. The attempt to extend the franchise by a new charter, he describes as a contrivance of "borough-mongers," with whom the charter was made a by-word, to answer their own political purposes. He considered that it was an attempt to lessen the consequence of the freemen, which, on his part, he observes, would not have been considerate.

"At many elections," he says, in an explanatory address to the freemen, "the charter was a by-word with borough-mongers, to induce gentlemen, entirely strangers to the county, to offer themselves for the borough of Maldon. All promised the charter; none of these gentlemen, however, were returned to Parliament; and the promises thus lightly made, appear to have been afterwards as lightly abandoned."

"Not having at that time received any general or regular application from the free burgesses, I considered that any attempt on my part to lessen their consequence, would not have been considerate."

The regular application which led to a new charter was this—"The free burgesses of the borough of Maldon, who have, with other freemen, supported you at five general elections, congratulate you on having been returned to Parliament so often, by such large majorities on the poll, and with the concurrent voice of the county in your favour, and do request of you to aid in procuring to the borough of Maldon its charter; thereby restoring to the families of the freemen their ancient rights and privileges."

This request was signed by a majority of the freemen. Their representative "assented to their wishes without hesitation," and from that period, he says, "I was indefatigable in my exertions for the restoration of the charter."

The difficulties, however, of obtaining for the freemen a restoration of "their ancient rights and privileges," appear to have been considerable. He tells them that he "laboured incessantly;" and in reply to those who called in question his real endeavours to procure it, he observes, "Colonel Strutt does not enter into, nor produce, all the evidence of the proceedings he was engaged in from 1807, (when his aid was requested to procure the charter), till January 1810; at which period the charter was signed by his Majesty: nor does he advert to his incessant exertions with the prime minister, the high law officers of the Crown, and others: for this would lead to a wide extent of circumstances."

His "incessant exertions with the prime minister and others," after an interval of two years, proved successful.

Acceptance of the Charter.

The seal was affixed to the new charter on the 8th October 1810, and it was accepted in the same month. The form of acceptance was this:—It was read by the town clerk from the top of a house in the town, to a large assembly of the inhabitants, and the question was then put, whether it should be accepted, when one of those who had an inchoate right to the franchise cried "Yes," and this was followed by a general shout of approbation.

Political Excursion established by the Charter.

While the ministerial member was making these exertions with the prime minister and the high law officers, a proposal, apparently reasonable in its nature, and moderate in its extent, was made by his colleague, who was not a ministerial member, that three of the inhabitants of the town, distinguished by their property and station, should be included in the new Municipal Council. The claims of these individuals are stated in the following letter, addressed to the clerk of the Privy Council, by the present Lord Western:

"Sir, Council Office, Jan. 25. 1810.

"I take the liberty of presenting to you, to be laid before their Lordships, the names of three gentlemen qualified for any of the situations in the body corporate, in the new charter about to be granted to the Borough of Maldon, at the same time expressing what I believe to be the wish of a very respectable number of inhabitants, that the final appointment of the different officers may for a short time be delayed. The three gentlemen whose names I wish to submit to their Lordships' consideration, are Mr. Benjamin Baker, who is a surgeon resident in the town of Maldon, and considerably the largest landed proprietor within the borough; Mr. John Payne, merchant, a resident also, whose mercantile concerns are as extensive, if not more so, than any other in the place; Mr. Edward Bright, soap-boiler, who is also engaged in an extensive trade in the town.

"I have the honour, &c."

"To W. Faulkner, Esq. &c. &c."

The claims, however, of "the largest landed proprietor within the borough,"—of a resident merchant, "whose mercantile concerns were as extensive, if not more so, than any other in the place;"—and of a third inhabitant, "also engaged in an extensive trade in the town,"—were not considered sufficiently strong to counterbalance the differences of political opinion. They were opponents of the ministerial member, and they were excluded from the corporation.

The whole Municipal Council and Magistracy were selected from one party, and the principle of political exclusion was recognized and established by the charter.

In obtaining this charter, a considerable expense had been incurred; and to defray a part of this expense, 2,000*l.* had been borrowed on bond.

As

As the new Council had been formed in the interest of Colonel Strutt, it was thought reasonable by some of his political supporters, that he should contribute to those expenses, and in 1820 an application was made to him either to take up the bond, or to subscribe for its redemption. It was made by an old freeman of his party, who had been created an Alderman by the charter, and had resigned the office three years afterwards in disgust at the chamberlain's conduct. The time chosen for the application was the approach of a general election, and the application was enforced by a threat of opposition, and a pledge to vote for any one who would take up the bond. The following answer was returned to the ex-alderman:

"Sir, "Saling-place, 23 March 1820.

"I confess myself not a little surprised to receive by your letter of the 20 March, a renewal of a request which was made to me in person by you and two other gentlemen at this house, subsequent to the known necessity of a dissolution of Parliament, when it was stated that Mr. B. said Mr. T. would pay the bond of 2,000*l.*; and when in reply to Mr. B. it was stated to be not so much, Mr. B. said so much the better, it is certain to be paid. With this threat of an opposition, you asked me whether I would redeem or subscribe to redeem the bond, which I declined; then you said we must vote for any one who took up the bond, whatever principles he may be of, but you wished for me, because you three were of my political principles, and if I did, you three would vote for me. In declining to accede to your proposition, I desired that you gentlemen might do as you please, deeming this the fair and honest way of speaking; in fact, in my then and present opinion, a more decided act of corruption could not have been made.

"Thus I declined the request, made under the threat of your hostility and of an opposing candidate to me at the then approaching election; and I think you will allow me to have fair reason to be surprised, and I assure you I feel much concern, that the request is again made to me by you in the name of those gentlemen, as I am forced to remind you of what passed on the 14th February last, and to declare to you that the conduct of my late father and myself to aid for procuring the charter, caused to us jointly much trouble and anxiety, and separately to cash expense, but as my exertions were crowned with success, I was well satisfied in obliging those friends, the majority of the free admitted burgesses, who made the application to me to aid in procuring the charter.

"I have the honour to be, Sir, your obedient servant,

"To Mr. James Clapton, Maldon." "*J. H. Strutt.*"

The scruples of the representative are not to this day understood by the Alderman, who had been so recently selected for the municipal Council. He states that he had always voted for the member in question, and so had his father before him. The Government offices in the borough, he says, which were then more numerous than at present, were distributed among the freemen, and when they were too old for service, though not too old to vote, the offices were transferred to their sons or to some other members of their families; and riders or annuities were reserved to themselves out of the emoluments. His father had been placed in the Customs, and to keep his place was obliged to vote against his conscience. All this time the old freemen were supporting Colonel Strutt and the Government, and he (the alderman) could not understand these scruples about paying off a part of the debt incurred in obtaining the charter which restored the ancient rights and privileges of the borough. He still persists in thinking that he and his friends were ill-used.

Difference between the modern and ancient Charters.

Until their functions became suspended, the corporation had acted under the charter of Philip and Mary; and this was taken as the basis of the constitution established by that of Geo. III. The chief difference between the two is, that in the modern charter the Burgesses are no longer identified with the Inhabitants. In the early charters no distinction is made, and the words Burgesses and Inhabitants are used synonymously. Thus, in the first charter of Queen Mary, she "granted to the burgesses and inhabitants of our borough of Maldon, in our county of Essex, and their successors for ever, that they and their successors, burgesses of the borough aforesaid for ever, might and should be of two bailiffs, six aldermen, eighteen capital burgesses and the commonalty of the burgesses of Maldon for ever, one body corporate and politic, and one perpetual community in deed, fact and name, &c."

The subsequent charter of Philip and Mary, after reciting the first, "granted to the burgesses and inhabitants of the aforesaid borough of Mandon, otherwise Maldon, and their successors, that they and their successors, burgesses of the borough aforesaid, might and should be of two bailiffs, six aldermen, eighteen capital burgesses and the commonalty of the burgesses of Maldon for ever, one body corporate and politic, &c. &c.," and confirmed all the ancient customs, liberties, privileges, franchises, jurisdictions, granted by former charters.

That the Inhabitants, at this period of their municipal history, were identified with the Burgesses may be also inferred from a proceeding in the Exchequer in Easter term, 4 & 5 Philip and Mary. The townsmen of Maldon had been amerced in several sums of money in the names of the bailiffs, the constables and the bailiffs and inhabitants of the town of Maldon. They pleaded their charter, and were discharged by the same names. The case is thus recorded:—In the reign of King Philip and Queen Mary, certain fines or amerciaments were imposed on John Bosewell and John Sherman, then late bailiffs of the town of Maldon; William Reynold and Robert Baker, then late constables thereof; and on the then bailiffs and inhabitants of the town of Maldon, before the clerk of the market of the household royal, for certain offences relating to weights and measures. The said late bailiffs, late constables, and the then bailiffs and inhabitants appeared in the Exchequer, and pleaded the charter of Philip and Mary above noticed, whereby it was granted to the burgesses and inhabitants of Maldon, &c., that they and their successors, burgesses, &c. should be one perpetual body corporate, and under the corporate name above noticed.

The attorney-general confessed the plea to be true, upon which the court adjudged that the defendants should be discharged of the said amerciaments.

MALDON.

By the charter of Geo. III. the burgesses only were incorporated, and the franchise was extended to "those who ought of right to be admitted to the freedom of the borough." So far from identifying the new corporation with the inhabitants, it conferred the corporate privileges, from which the latter were excluded, on a numerous body of strangers who had no local connexion or interest in the borough.

This exclusion of the inhabitants from the corporate body, and the exclusion of political opponents from the council, are the chief characteristics of the new charter. The constitution established upon these principles I now proceed to review.

III. CORPORATE BODY and CONSTITUTION.

The Corporation consists of a Mayor, eight Aldermen, eighteen Capital Burgesses, and an indefinite number of Freemen or Burgesses.

Title.

Its legal title is, "The Mayor, Aldermen, Capital Burgesses, and Commonalty of Maldon."

Enumeration of Officers and Freemen.

The Officers named in the governing charter are:—

A Mayor.
Eight Aldermen (including the Mayor).
Eighteen Capital Burgesses.
A Recorder.
Town Clerk.
Coroner.
Clerk of the Market.
Water Bailiff.

The other Officers are:—

A Chamberlain.
Two Serjeants-at-Mace.
A Gaoler.
Seven Petty Constables.
A Town Crier.

The whole number of Freemen is not accurately known, but there are 225 resident within the borough, and 37 in the adjoining parish of Heybridge; and at the contested election of 1826, when freemen were brought from all parts of the country, the number polled was 3,113; and since that time 117 have been admitted.

1. Officers composing the Council.

The Officers composing the council are the Mayor, Aldermen and Capital Burgesses.

Mayor.

The Mayor is annually elected by the council on the Friday after the Feast of the Epiphany; and a majority of the members must be present at the election.

The aldermen only are eligible, and an interval of three years must elapse before the same individual can be re-elected.

The mayor is a joint elector of all corporate officers; and as the head of the corporation, he presides at their assemblies, which, except on the charter day, can never take place without his summons. (*See* "COMMON COUNCIL." "FREEMEN.")

He holds a court for the admission of freemen, and examines the evidence produced by the claimants. (*See* "FREEMEN.")

He is the chief magistrate of the borough; and by the constitution a civil as well as a criminal judge within the limits of its jurisdiction, presiding at the sessions, and having the power of holding a court of record. He is also admiral of the port. (*See* "JURISDICTION.")

And returning officer of the borough. (*See* "FREEMEN, Admissions under the new Charter in 1826.")

His financial duties are stated in his official oath, which is this:—

"You shall swear to serve our Sovereign Lord King William in the office of Mayor of this borough, and all judgments of pleas which shall happen before you to be determined from day to day, you well and faithfully shall consider and judge, sparing none for love, favour, hatred, gift or promise, but that reason and right be done to every one. The writs and mandates as well for our Sovereign Lord the King as for the suit of the party unto you sent, you shall return according to that you shall see fit and just in your discretion and counsel. You shall not be judge and party with any person, and you shall be diligent to do all those things which to a mayor of this borough do belong, at the days and places as need shall require. *And all just profits of the borough aforesaid, and which shall be due to the commonalty of the borough of right or custom by the common clerk of the borough, you shall make to be enrolled, no parcel thereof taking to yourself, concealing or detaining. And you shall cause the auditors of the account to come to hear and determine the account according to the ordinance thereof made or to be made in that behalf.* The good constitutions and ordinances, customs and liberties of the borough aforesaid, you shall faithfully maintain and sustain. You shall abstain from selling victuals by retail by you or your deputies during the term of your office, as is ordained by the statute; but as to the sale of victuals and sight of measures you shall duly see and order. The public peace within the borough aforesaid to your utmost power you shall keep, and make to be kept."

The total disregard of these financial duties will appear under the heads of Chamberlain—Water Bailiff—Alienations of Property.

Jointly with the aldermen, the mayor appoints the master of the grammar school, and he is a trustee of Plume's charity.

Upon the expiration of his mayoralty, he is entitled to name one honorary freeman.

No salary is attached to the office.

Since the new charter was granted, the mayoralty has been once declined, and three times an

object

object of contest. The alderman who declined it was in a state of mental incapacity. The last contest was decided by a majority of two only.

Of the present aldermen, six have served the office, and Alderman Parker, one of the six, has been three times re-elected, though not residing in the borough. His residence is about three miles distant. He is considered the head of the political party, which is supported by the council: his official conduct as mayor and returning officer during a contested election in 1826 will be stated hereafter. (*See* " Admissions under the new Charter.")

The present mayor is a wine-merchant residing in the town, who has for many years been the election agent of Mr. Dick, one of the members for the borough; acting however in that capacity as a political friend, and without remuneration for his election services. He is now mayor for the second time.

His immediate predecessor was Alderman Lawrence, a resident solicitor, whose name will frequently recur in the course of this Report. (*See* " Aldermen"—" Chamberlain"—" Licenses"—" Alienations.")

The mayor is removable by the electoral body, but there is no modern instance of removal.

Aldermen.

The Aldermen are elected from the capital burgesses, by the mayor and capital burgesses, and they hold their office for life, subject to removal by the council.

The charter requires that the election shall take place within eight days after the vacancy occurs. One of the present aldermen was not elected till a vacancy had continued for twelve years.

The election has never been contested, nor has the office been refused, since the new charter was granted.

The functions exercised by this body, as a constituent part of the common council, will presently appear. (*See* " Common Council.") Other official duties are stated in their official oath, which is as follows:—

" Ye and every one of you, s^o^ often as ye shall be required and warned by the mayor or serjeants of this borough to come and hear the account and to order and counsel for the business of the borough, duly ye shall come, unless ye shall have a reasonable impediment; and ye shall be aiding with the mayor that the profits of the borough be levied, and that all taxes, tallages and other charges which shall happen to be assessed within this borough, ye shall also see that they be levied; and that ye shall not allow any gross expenses or presentments which shall be made without the assent of your fellows and the presence of the chamberlain, as it is or may be ordained by the constitutions and ordinances of this borough. And also ye shall not allow nor disallow, but as it becometh good discretion and honesty, and for the tranquillity of this whole borough. And if any officer shall be negligent in the doing of his office belonging to the borough, and the common profits of the same, that then ye shall not allow to him any more than the constitutions and ordinances require. And also that ye be aiding that all the farms of this borough be duly demised, and that the fines of those men which shall be made burgesses be duly made and levied of their goods, as they ought to be according to your directions."

(*See* " Chamberlain"—" Alienations.")

The aldermen elect the capital burgesses, and are exclusively eligible for the magistracy of the borough. Two of them are annually chosen by the council as assistant justices; and one of the two is usually the mayor of the preceding year.

All are trustees of Breeder's charity; and (conjointly with the mayor) they appoint the master of the Maldon grammar-school.

The present aldermen are arranged in the following list, according to the date of their election:—

1. A bankrupt glazier, residing in Heybridge, who was appointed a capital burgess by the charter of George III., and elected an alderman in 1819.
2. Alderman Parker, whose influence in the corporation has been stated under the head of Mayor. He was presented with the freedom in 1813, and elected an alderman in 1820. He is a farmer and land-surveyor, and a magistrate of the county.
3. A farmer, who last year assigned his effects for the benefit of his creditors. He was elected in 1820.
4. An uncertificated bankrupt, formerly a tailor and draper, who was appointed a capital burgess by the charter of George III., and elected an alderman in 1826.
5. Alderman Lawrence, a solicitor previously mentioned as the ex-mayor. He was elected an alderman in 1826.
6. The present mayor, elected in 1828.
7. A shoemaker, who is also the postmaster of the town, elected in 1831.
8. A farmer, made an honorary freeman, and elected an alderman in 1833.

It will be observed, that two out of these eight aldermen do not reside within the borough. Two are bankrupts, and a third has recently assigned his effects. Four were created honorary freemen.

The value of the property for which the whole body are assessed to the poor rates of the borough, omitting the one elected last year, is 86*l.* and this is calculated to be about two-thirds of its real value. The farmer elected last year is jointly rated with his brother at 401*l.* The total amount of assessed taxes paid by the six residents is 21*l.* 3*s.* 10*d.*

The two aldermen selected as justices for the present year are Alderman Parker and Alderman Lawrence. The former has been chosen a magistrate every year since 1822.

Resignations of the Office.

Many of the aldermen named in the charter of George III. have since resigned their office. Some have resigned on account of non-residence, and others for reasons unknown. In three

MALDON.

three instances, it is said that the motive was to avoid the consequence of a Chancery suit, in which the corporation was involved for the recovery of its property and charters. After concurring in a vote of the council, that the town clerk should take the necessary steps for recovering this property, and when a bill had for this purpose been filed in Chancery, under the advice of the recorder, these three aldermen, declining any further responsibility, withdrew from the Council, stating, that they had got into a Chancery suit, and must now get out of the corporation as soon as they could. These were the reasons assigned to Alderman Lawrence, as he states, when the resignations were sent in. The expenses incurred by the town clerk on this occasion have never been repaid.

One of the three now says, that he resigned because the chamberlain was robbing the corporation. The chamberlain at that time was the late Alderman Bugg, whose name, like that of his successor Alderman Lawrence, will frequently recur in this Report.

Removal of an Alderman.

The aldermen are removable by the council, and the power of removal has in one instance been exercised.

The alderman removed had been collector of the customs in the port, had proved a defaulter, and absconded from the borough. He was afterwards brought back secretly to vote in the council, for purposes represented as sinister. In 1815, the following resolution was proposed on the subject of his conduct:

"That John Gurr, an alderman of this borough, and late collector of his Majesty's Customs of this port, on or about the 6th day of January last, was declared deficient in his accounts with the Board of Customs to the amount of 830*l.*, and his sureties called upon by the board to make up the same. That the said John Gurr was in consequence deprived of and discharged from his said office of collector, and Mr. William Bugg, another alderman, appointed in his stead, and a writ of extent issued against the real and personal estate of the said John Gurr, who, in the same month of January last, absconded from the town, and his said property was disposed of by virtue of the said writ. That the said John Gurr then totally absconded and deserted the said town with his family, and has ever since resided in or near London. That he has not, since the 6th day of January last, attended the meetings of the mayor, aldermen and capital burgesses of the said borough, or any other corporate meeting or assembly, although many times summoned and warned so to do, by notice being given for him at the accustomed place; but having wilfully and in disobedience to the orders of the corporation, and in breach of the bye-laws thereof, absented himself from all such meetings (except that he has lately been twice secretly brought down to corporate meetings to vote thereat, to answer sinister purposes, which are foreign to the well being and good order and regulation of this corporation. That the said John Gurr is at this time indebted to many persons of this town in several sums of money, which he is unable to pay, and is in insolvent circumstances, and under the necessity, as appears by his own petition, of applying to the inhabitants of this town to save him from becoming a burthen to the parish, by which the mayor, aldermen, capital burgesses and commonalty have been degraded, prejudiced and disgraced, and are deprived of the advice and assistance of an effective, respectable and independent alderman, by whom the duty of the office may be regularly performed and executed. It is therefore become necessary, for the advantage and good order and regulation of the said town and borough, to appoint some efficient alderman in the room and stead of the said John Gurr, who has so become a public defaulter and insolvent, and so abandoned the said town, and disgraced his said office."

The Council divided upon this resolution, and a scrutiny was demanded, when it appeared that there were 12 votes for the removal of the alderman, and eight against it.

It was then ordered, "That the said John Gurr shall be henceforth dismissed, discharged and removed from his said office of alderman of the said town and borough, and he is hereby accordingly dismissed, discharged and removed therefrom." Some time after the removal, Alderman Gurr sent in his resignation.

Ouster of an Alderman.

"At the same court, Mr. John Payne was elected an alderman in the room of the said John Gurr."

Mr. Payne is one of the three individuals who was originally proposed by Lord Western, and rejected by the framers of the charter. After his election as a member of the council, which was unanimous, he was successively chosen alderman, mayor and assistant justice. He was elected, says Alderman Lawrence, because he was expected to supply the corporation with funds for their law expenses.

When he had passed through the office of mayor, and while he was still a borough magistrate, it was discovered that there had been an irregularity in his first election as a capital burgess. Taking advantage of this irregularity, although he had been unanimously elected, a *quo warranto* was applied for, to oust him from the office he held. The relator was Alderman Lawrence, who had previously acted as Mr. Payne's friend and legal adviser throughout the elections, and had himself voted for him as a magistrate.

The Court of King's Bench determined that this alderman was an improper relator.

Mr. Payne then resigned, and his resignation, he says, was officially accepted by the mayor, Alderman Bugg.

In the following term, a second information was filed against him by Alderman Lawrence, in the name of Alderman Bugg. The former was employed upon this occasion as the solicitor, and, although no order appears for any legal proceedings, he charged the corporation with his law expenses. The reason assigned for the second information is, that the resignation had not been stamped.

This took place in 1820. It will hereafter appear that Alderman Bugg had then recently become the purchaser of a corporation estate; that Alderman Lawrence, as chamberlain, had given him a receipt for the purchase money, which has never been accounted for; and that Mr. Payne disapproved of their conduct with regard to the sale, which he describes as "a smuggled transaction."—(*See* "Alienations.")

The Capital Burgesses are elected by the mayor and aldermen, from the commonalty or freemen. Capital Burgesses.

They are elected for life, subject to removal by the common council.

They have no separate functions, but form the third constituent part of the council, and, jointly with the mayor, elect the aldermen from their own body. As they are exclusively eligible for the office of aldermen, they are the class from which the magistrates must ultimately be selected.

Neither political opponent nor Dissenter is to be found in this body, though a large and respectable class of both exist in the borough.

The present capital burgesses, elected without opposition, are—

1. An insolvent farmer, residing in Kent, who was appointed by the charter of Geo. III.
2. Another insolvent farmer, whose residence is unknown, and who was appointed by the same charter.
3. A glassman, elected in 1819. He is rated at 10*l.*, and pays 8*s.* 3*d.* to the assessed taxes.
4. A former clerk of the collector of Customs, elected in the same year, who is rated at 15*l.*, and pays assessed taxes 8*l.* 5*s.* 3*d.*
5. A ship agent, elected in the same year, who has been discharged under the Insolvent Act. He is now rated at 3*l.*, and contributes nothing to the assessed taxes.
6. A farmer residing in Heybridge, and elected in the same year. He is not rated in the borough.
7. A parish clerk, elected in the same year, who is rated at 7*l.*, and contributes 10*s.* to the assessed taxes.
8. A shoemaker, elected on the same day, who is rated at 12*l.*, and contributes 9*s.* to the assessed taxes.
9. A former linendraper, whose effects had been assigned for the payment of his debts. He was elected in 1822, and is non-resident.
10. A miller, elected in 1826, and residing in the borough, who pays neither rates nor taxes.
11. A journeyman carpenter, elected in 1828. He resides in the borough, but is not rated.
12. A victualler elected in the same year, who is rated at 31*l.*, and contributes 4*l.* 3*s.* to the assessed taxes.
13. The comptroller of the Customs at St. Ives, elected in 1830, and not rated in the borough.
14. A collar maker, elected in the same year, who is rated at 15*l.*, and pays 4*l.* 9*s.* 9*d.* assessed taxes.
15. A victualler, elected in 1831, who is rated at 15*l.*, and pays 1*l.* 16*s.* 6*d.* assessed taxes.
16. The vicar of Heybridge, elected in 1833, who is rated at 10*l.*, and pays 2*l.* 10*s.* 6*d.* assessed taxes.
17. A surveyor, elected at the same time, who is rated at 12*l.*, and pays 5*l.* 2*s.* assessed taxes.
18. A tailor, elected in the present year, who is rated at 12*l.*, and pays 2*l.* 14*s.* 3*d.* assessed taxes.

From this statement it appears, that of the eighteen capital burgesses, five are non-resident, two are insolvent, and a third has assigned his effects for the benefit of his creditors. Eleven only are rated within the borough, and the total amount for which they are rated is 142*l.* The amount of assessed taxes they pay is 30*l.* 8*s.* 6*d.*

The Common Council, composed of the mayor, aldermen and common councilmen, is summoned by the mayor, and the town clerk attends to record its proceedings. 2. The Common Council.

Its chief constitutional functions are thus defined by the charter:

"To make reasonable Orders and Constitutions for the public good of the borough aforesaid, and the advantage of all thither resorting, and the good and wholesome government of the same, from time to time, and use and enjoy the same, and put them in execution within the borough aforesaid; and them, and each of them, as to them shall seem meet and best, may alter, change and revoke, so that such ordinances and constitutions be not repugnant or contrary to the laws and statutes of our kingdom." Powers of Municipal Government.

The town was formerly governed by its "Oulde Customes," which were renewed by the corporate authorities at different periods of the constitution, and appear to have been last revised in the reign of Philip and Mary, under the direction of the council. Customary Laws of the Borough.

These customary laws were enforced in the Borough Courts, where all offences against them were tried by a jury of the inhabitants.

"Also it is further ordained and agreed, that at every Quarter Court hereafter holden within the liberty of this borough, there shall be one honest jury returned by the common serjeant of the same borough to be honest men of the same borough, being no head burgesses, over and besides the great inquest of the said borough. And the inquest so returned shall be sworn by themselves to inquire of all the offences committed and done within the said borough town contrary to any constitution, bye-law or order made, ordained or provided for the good government, order and good rule of this borough, and the offenders therein shall present in such order and form as other jurors hath used to do, and then the offenders therein to be punished according to such penalties as in the same customs and constitutions have been appointed."

The neglect of these "Ould Customes" has totally changed the distribution of the franchise, and the character of the corporate body. (*See* "Freemen.") In their place various Orders have been made by the modern council, but seldom carried into execution. Their objects will appear under the heads to which they refer.

MALDON.

A power of removing its own members and other municipal officers is vested in the council by the following clause in the charter.

Power of Amotion.

"And if ever hereafter, at any time it shall happen that the mayor, recorder, town clerk, or water bailiff, or any of the aldermen, capital burgesses or commonalty of the said borough, shall, for any just and lawful cause, be amoveable from their respective offices, we will and ordain that they, and each and every of them, shall be amoveable and amoved by the common council of the same borough, or the major part thereof."

The case of Alderman Gurr is the only instance in which this power of amotion has been exercised.—(*See* "Chamberlain, Water Bailiff.")

Character of the Council.

The present composition of the council, which is intrusted with these powers, is seen in the enumeration of its members. In the selection of the mayor and aldermen, appear the qualifications required for the magistracy; and in the selection of capital burgesses, the qualification for municipal control. From both classes, political opponents and Dissenters are excluded, and it is admitted by one of the magistrates, that under the existing constitution their exclusion must probably continue.

Joined with this party character will be seen, under the head of Chamberlain, the character of its financial management; under the head of Water Bailiff, the protection afforded to trade; under Admissions and Commonalty Privileges, its maintenance of the charter and constitution; under Alienations, its guardianship of the town property.

3. Officers appointed by the Mayor and Aldermen.

The Recorder, Town Clerk, Coroner and Water Bailiff are appointed for life by the mayor and aldermen.

Recorder.

The Recorder is a magistrate of the borough, and no trial at the sessions can take place in his absence. His attendance is regular.—("*See* Jurisdiction.")

Neither salary nor emolument is attached to the office.

The present recorder is Joseph Green Walford, esquire, solicitor of the Commissioners of Customs, who was elected in 1829, on the resignation of James Trower, esquire, appointed by the charter, and one of the present masters in Chancery.

The legal advice of the recorder has been taken, but not followed, upon occasions where the legal interests of the corporation were concerned.—(*See* "Alienations.")

Town Clerk.

The Town Clerk is clerk of the peace for the borough; clerk of the arraigns; clerk to the magistrates; and clerk of all the borough courts.

He attends the meetings of the council and common hall, and records their proceedings. He also attends the general elections, reads the writ, and engrosses the return.

The salary allowed during the last two years has been 20*l.* a year; before that time he had none, and his professional bill for 12 years has been recently settled by a composition. The money was raised by a mortgage of corporation property.—(*See* "Debts.")

His incidental emoluments arise from fees on the admission of freemen, and fees for the session and other magisterial business: the latter are estimated at 60*l.* per annum, the former in 1826 exceeded 2,000*l.* Since then the average amount has been less than 20*l.* a year.

The present town clerk was appointed by the charter, and is a solicitor of the superior courts of Westminster. At the time of his appointment he was not residing within the borough, but for the last 17 years he has been resident.

He is coroner of the county, and till recently was clerk both to the commissioners of taxes for this division, and to the trustees of the turnpikes. The latter appointments are now held by his son.

The law business of the corporation has, except on one occasion, been transacted by Alderman Lawrence, one of the present magistrates. Upon that occasion, a Bill in Chancery was filed against the alderman by the corporation to recover an estate to which he laid claim, and their town clerk was then allowed to act as their solicitor. Contrary to the advice both of the recorder and town clerk, the suit was abandoned, and the estate remains in the alderman's possession.

The town clerk is removable by the council.

Coroner.

The Coroner has an exclusive jurisdiction within the limits of the borough, and receives the statutable fees. The average number of inquests is about three a year.

This office is held by the town clerk.

Water Bailiff.

The Water Bailiff is appointed to protect the town fishery, for which purpose he is authorized to apprehend all persons fishing without a license from the council. He also superintends the beacons, and executes the mayor's warrants upon the water.

The present bailiff was appointed in 1817, and is a brother of Alderman Lawrence.

The office was previously held by one of the aldermen, who was ousted by a judgment of the Court of King's Bench, on the ground that the two offices were incompatible.

Dues were formerly levied by the corporation, on the shipping and trade of the port, and were collected by this officer. When the corporate functions became suspended no dues could be levied, and for some years after the new charter was obtained, no attempt was made to renew the collection. In 1818 the following notice appeared:

"Notice is hereby given, that the several tolls and dues heretofore accustomed to be paid at this port are now received by the water bailiff of this borough, who is empowered by his warrant to demand the said tolls and dues of all captains of ships and vessels trading to the said port; and, in default of payment, to distrain for the same.

"Coal Dues.

"Coals at the town of Maldon - - - - - - - 2*d.* per chaldron.
Coals landed at Heybridge, or passing through the waters of the borough, 4*d.* per chaldron."

The

The merchants disputed the right of the corporation to levy these tolls, and actions were commenced to try their legality. In the meantime, to avoid the inconvenience of seizures, they offered to pay the money into the Bank, to await the decision of those actions. Their offer was rejected, and they submitted to pay the tolls under the following protest:

"To the Mayor, Aldermen, Capital Burgesses and Commonalty of Maldon, Mr. James Lawrence, Water Bailiff of the borough of Maldon, and all others whom it may concern.

"TAKE NOTICE, That actions having been lately commenced in the Court of King's Bench and Common Pleas in order to try the legality of the claim of the corporation of Maldon, to tolls on the cargoes of all vessels entering or leaving the port or haven of the said borough of Maldon, and it being evident that a great obstruction to trade, an increased expense and a general inconvenience would be occasioned by an express refusal on the part of the owners of goods in each instance to pay the tolls, and a consequent exercise of the assumed right of the corporation to distrain part of the goods and sell the same: We, the undersigned, submit to pay the tolls this day claimed by the corporation; but hereby deny the right and title of the said corporation to enforce the payment of any such tolls, and refer the determination of such supposed right and title to the verdicts in those actions."

When the corporation had failed to establish their claim in some of the actions brought, the merchants refused to pay the tolls any longer. Their goods were then seized in an offensive manner, and on one occasion pistols were produced by the water bailiff with threats of personal violence. Such is the complaint of the merchants, and they further complain that, the corporation, after putting them to an expense of 2,000*l.* for law proceedings, having totally failed in establishing a legal claim, suffered their water bailiff to go to prison in order to avoid the payment of costs. He was afterwards discharged under the Insolvent Debtors Act, and now continues to exercise the duties of his office.

The dues he exacted from the merchants while the question of right was pending exceeded 450*l.* The amount he paid over to the chamberlain was 181*l.* 13*s.* 6*d.* No books were kept, and the remainder is unaccounted for.

His emoluments are now reduced to an annual payment of 2*l.* for hoisting a flag on public days.

4. Officers appointed by the Council.

The chamberlain and all the subordinate officers are annually appointed by the Common Council.

Chamberlain.

The Chamberlain is the treasurer of the corporation and is accountable to the council. There is a standing order that his payments must be authorized by the mayor and two aldermen, but this order is not enforced, and the present chamberlain was not aware of its existence.

From 1810, when the new charter was granted, till 1818, this office was held by the late Alderman Bugg, an individual exercising considerable influence over the council, and for many years the head of their political party in the borough.

Not a single corporation account relating to this period is in existence; and the chamberlain's influence with the council is said to have been such, that no member of it could venture to call upon him to account.

The only entry in the council-books during the period he remained in office, is a short statement of the total receipts and disbursements in two out of the ten years.

In one of those two years, timber cut from a corporation estate was sold for 1,250*l.* The proceeds of this sale are unaccounted for.

In 1818 this alderman, still the chamberlain, became the purchaser of the principal corporation estate. He then resigned his office under circumstances which will be stated hereafter. After his resignation he continued to receive money on account of the corporation, without accounting either to his successor or to the council. (*See* "Admissions by Purchase.")

That successor was Alderman Lawrence, one of the present magistrates, who retained the office till 1826, when he was elected an alderman. His first official act was to sign a receipt for the proceeds of the estate purchased by his predecessor, Alderman Bugg. These proceeds have never been accounted for.

His accounts, he says, were audited every year; but no member of the council can recollect the audit, and the town clerk, who is present at their meetings to record their proceedings, denies that any audit ever took place. A capital burgess, who has regularly attended the council for 15 years, adds, that committees were often appointed to examine the accounts, and that he was himself on two or three of them; but no examination took place.

In 1823 the Commonalty interfered, and a committee was appointed to examine and investigate all the accounts since the restoration of the charter, with instructions to continue its meetings every month, till these accounts were finally audited. This committee met and summoned before them the chamberlain then in office, and his predecessor, Alderman Bugg, who was then mayor. Both these officers refused to attend, and both refused to produce their accounts. The committee could proceed no further. They reported to the council the contumacy of these officers, but instead of supporting their committee, the council substituted two of the aldermen as auditors. The auditors made no report. Alderman Lawrence states, that he attended these two aldermen in 1824, and produced his vouchers, when they passed his accounts from the year 1818, signed them, and took possession of them. No member of the council has ever seen either the vouchers or the accounts. Copies were first delivered to the town clerk in the month of March last, and entered in the corporation books, preparatory to the Municipal Inquiry.

MALDON.

These two ex-chamberlains became the proprietors of the two principal estates of the corporation. (*See* " Alienations.")

Since 1826 the accounts are said to have been annually examined and audited in the council, although the signature of the auditors does not appear in the books.

In looking over those of the two last years, I find an omission of rents in each. In one case no credit is given for rent received; in the other, no rent was received, because the chamberlain erroneously supposed, that the tenant had a set off exceeding the amount. These inaccuracies however did not attract the attention of the auditors, who presented the accounts to the common hall as correct, and they passed accordingly.

After the annual audit at the Epiphany meeting of the present year, the Council appointed two of their members to inspect the accounts a second time, and they met for that purpose. One of the two not being satisfied with the statement and explanations given by the present chamberlain, refused his signature. The other has signed the account, and the chamberlain considers them as passed.

This office is now held by the son of an Alderman. He lately advanced to his father 50*l.* of the corporation money as a loan. The alderman became a bankrupt, and his son not having the means of refunding the 50*l.*, the corporation were compelled to prove their debt under the commission. The chamberlain continues to hold his office, and has been re-appointed since he proved a defaulter, without being required to give any security. It is said that a guarantee has been given for the payment of the deficiency, but the money has not been repaid, nor could any guarantee be produced when it was called for by one of the auditors last appointed.

Serjeants at Mace.

The Serjeants at Mace are the official servants of the mayor and corporation. They summon the members of the council; attend at the courts; and are constables of the borough.

Qualification, the franchise.

Emoluments, a fee of 1*s.* 6*d.* on the admission of a freeman, and fees as constables.

Town Crier.

The Town Crier performs the ordinary duties of such an office.

Qualification, the franchise.

Emoluments, a fee of 6*d.* on every admission, and the usual perquisites, which are paid by his employers.

Gaoler.

The Gaoler is a blacksmith, who has been re-appointed since 1812.

Qualification, the franchise.

He maintains the prisoners, and charges as well for their care, as for their maintenance, the charge varying with the number. (*See* " Gaol.")

His bill for seven years, from 1812 to 1819, amounting to 74*l.* 1*s.* 6*d.* still remains unpaid. It has been frequently before the council, and its accuracy is not disputed; but they state that they cannot afford to pay it. Since 1819 he has been paid out of the poor rates.

Chief Constable.

The gaoler is also Chief Constable of the borough, without salary.

Clerk of the Market.

And Clerk of the Market, appointed to inspect the weights and measures.

Constables.

The Constables are generally small shopkeepers, who are annually re-appointed, and paid by the several parishes.

FREEMEN.

The FREEMEN, who are not members of the council, compose the Commonalty of the borough.

Title to the Freedom.

The Freedom is acquired by birth, marriage, servitude, purchase and gift.

1. Birth.

All the sons of a freeman, who are born after their father's admission, are entitled to their freedom. They are required to produce the usual certificate of baptism, signed by the minister of the parish, and then to prove identity.

This evidence is given before the mayor, in the presence of the town clerk, acting as his legal adviser; and the rapidity with which such evidence may be examined on a political emergency will presently appear.

2. Marriage.

All the daughters of a freeman, born after their father's admission, may confer a right to the freedom on one of their husbands. If the first husband dies without admission, the right may be conferred on the second, and so on; but only one can acquire a title. The same evidence is required in this case as in the former, with an additional certificate of the daughter's marriage. The mayor may examine the wife apart from her husband, as to her consent to his admission.

This right of bestowing the freedom, with its incidental privileges, has sometimes been found a sufficient marriage portion, and many of the daughters of freemen have been given in marriage preparatory to a general election. (*See* " Admissions under the new Charter.")

3. Servitude.

An apprenticeship for seven years to a freeman, followed by actual service, also confers a right to admission. The claimant is required to produce his indenture, and to prove the service.

An order of the council requires that the indenture should be enrolled by the town clerk within three months after its execution; but it has not always been found convenient, in the political hurry of an election, to pay attention to this order.

4. Purchase.

The freedom of this borough has been acquired by purchase and gift from a very early period; but since the new charter, it has been a matter of dispute and litigation, whether the consent of the Commonalty was requisite on these occasions.

The

The Council claiming the exclusive power of selling the franchise, had occasionally exercised it previous to 1820; but as the number of admissions was inconsiderable, it was not thought worth while to incur the expense of law proceedings in disputing their claims.

In 1820 they passed a resolution to admit 184 freemen on the payment of 15*l.* each. The occasion of this resolution was the want of money to carry on their toll cause against the merchants. Among the persons selected were many of the clergy, dispersed through the county, and many of the neighbouring gentry; but not a single political opponent, and only seven of the inhabitants. Thirty-four of the number were admitted in that year, not one of whom was resident. This proceeding led to an examination of the records of the corporation, and the result was, that informations were filed in the Court of King's Bench, and after judgment of ouster had been obtained against some of the new freemen, the others thought it prudent to disclaim.

The purchase money was paid; but although the only excuse for the whole proceeding was, that the corporation wanted funds for a legal defence, the money never found its way into the hands of the chamberlain, and its appropriation is unrecorded and unknown. It was received by the town clerk, and paid over to Alderman Bugg, by order of the council. There is no further trace.

5. Gift.

In 1815, an order was made by the Council, that no honorary freemen should be admitted. Notwithstanding their own order, they have themselves in several instances made honorary freemen, without the concurrence of the Commonalty. One of the present magistrates was presented with his freedom by the council alone; but thinking his title insecure, for six years, it is said, he cautiously avoided taking any part in the unpopular acts of the corporation. He was afterwards elected mayor, and since then he has been frequently re-elected, and for many years has been annually chosen a magistrate. He is now the most influential person in the council, and the leader of their political party.

The privilege of making one honorary freeman on the expiration of the mayoralty has been already stated. Sixteen have been admitted in this way, and 12 of the 16 are non-resident.

All the honorary freemen except three are political adherents of the Council.

Fees on Admission.

The ancient Fees on Admission were these:

	s.	*d.*
By birth - - - - - - - -	6	8
servitude or marriage - - - -	13	4

The modern fee fixed by the council is 1*l.* 2*s.* 6*d.*, which is paid to the town clerk, in addition to the stamp.

They have in numerous instances been paid by the candidates at elections.

Admissions under the new Charter.

The Charter of George III., after reciting that the borough is "in a state of decay and dissolution, so that those who ought of right to be admitted to the freedom of the same borough, cannot obtain admission to their freedom," regulates the admissions of all who had an inchoate right to the franchise, by the following clause, in which a limitation of time is fixed for enforcing their claims.

"That all and every person or persons who was or were duly admitted into the freedom of the said borough, before the said corporation had fallen into a state of dissolution and decay, and all and every person or persons who, by the usage and custom of the said borough, would have been entitled by birth or servitude to his or their admission into the freedom of the said borough, and to have been of the commonalty thereof in case the said corporation had not fallen into a state of dissolution and decay, so as to prevent their obtaining such admission, and also all and every person, who if such last-mentioned persons had been admitted into the freedom of the said borough, would, by the said usage and custom, have derived a title to the same freedom, by birth or servitude, from, through, or under them, or any of them, in case the said corporation had not fallen into a state of dissolution and decay, shall and may, at any time within six calendar months from and after the date of these presents, in case such person or persons shall be within the realm, and of the full age of twenty-one years at the date of these presents.

"But in case such person or persons shall be abroad in parts beyond the seas, or be under the age of twenty-one years at the date hereof, then within six calendar months next after such person or persons shall return to this kingdom, or attain the full age of twenty-one years, claim and have admission into the freedom of the same borough and be of the commonalty thereof, upon taking an oath duly to execute such office before the mayor of the said borough, or his deputy for the time being (which oath the said mayor of the said borough, or his deputy for the time being, is hereby authorized and required to administer to such persons), and shall thereupon be and become free of the said borough and be of the commonalty thereof.

"And that all the children or apprentices of such persons so admitted by virtue of these presents, shall have the same right, title and claim to their freedom, and to the power of conferring the same hereafter, as if their respective parents or masters had been admitted to their freedom as soon as they would have been entitled thereto, in case the same corporation had not fallen into a state of dissolution and decay.

"And further, we do by these presents, for us, our heirs and successors, grant unto the said mayor, aldermen, capital burgesses and commonalty, that each and every daughter of every person who was heretofore admitted into the freedom of the said borough, or who shall be duly admitted into the same by these presents, or who being now deceased, or abroad in parts beyond the seas, would be entitled, under these presents, to be admitted into the same, if he were now living, or upon his return into this kingdom, shall have the same right to nominate and appoint her husband to be a freeman of the said borough, as the daughters of freemen possessed before the said corporation fell into a state of dissolution and decay. And that in all cases in which a woman, being the daughter of any person who was duly admitted into the freedom of the said borough before the said corporation had fallen into a state of dissolution and decay, or of any person who by the usage and custom of the said borough would have been entitled, by birth or servitude, to his admission into the freedom of the same in case the said corporation had

MALDON.

had not so fallen into a state of dissolution and decay, hath been married, and hath died before the granting of these our letters patent, leaving her husband and a child or children, or any of them, behind her; or being now living, and a widow, hath a child or children lawfully begotten, such husband, child and children shall respectively have, enjoy and be entitled to the same right as he and they would have been entitled to if such woman had, upon her said marriage, conferred the freedom of the said borough upon her said husband according to the usage of the said borough, and her said husband had been thereupon duly admitted thereto.

"Provided always, that where such woman shall have married two husbands, the right shall be confined to her children by her first husband; and that all the ancient customs and usages of the said borough, touching the right of admission to the freedom thereof, shall continue and be observed, except so far as they are altered by these presents."

Within the six months allowed by this clause of the charter, 1,469 admissions took place. From that time till 1826 the number was not considerable; the minimum was 5, and the maximum 74 in the year.

Admissions preparatory to a Contested Election.

In 1826 there was a severe contested election in the borough, and a few weeks before the election the following advertisement appeared in the Chelmsford Chronicle. It is dated the 19th of May:

"Borough of Maldon.

"All those persons entitled to the freedom of this borough, whether by birth, marriage or servitude, residing in Maldon or elsewhere, are requested immediately to transmit to Mr. Woods, solicitor, Maldon, the particulars thereof, with their christian and surnames, occupation and residence, and under what right they respectively claim their freedom. From those claiming by birth, will be required their baptismal certificate; from those by marriage, their baptismal and marriage certificates; and from those by servitude, production of their indenture of apprenticeship. All other information conducive to the interest of Quintin Dick, esquire, to be submitted for the inspection of

"*Charles Woods*, his agent at Maldon."

Mr. Dick was the candidate supported by the corporation.

On the day after the advertisement appeared, a court was held by the Mayor for the admission of freemen, and 36 were admitted. In the course of the week 225 more were admitted, and before the end of the month 158 more.

A second advertisement appeared on the 2d of June in the same paper:

"To the non-admitted Freemen of the Borough of Maldon.

"All non-admitted freemen claiming by birth, marriage or servitude, residing in Maldon, and the Dengie and Rochford hundreds or elsewhere, wishing to take up their freedom, in order to give their votes at the approaching election, are requested, as soon as convenient (courts being daily holden for the admission of freemen) to attend me at my house in Maldon, between the hours of ten o'clock in the forenoon and four in the afternoon, to give in their christian and surnames, occupation and residence, and under what right they respectively claim their freedom."

It goes on to state the evidence of title which may be required, and concludes:

"All other information conducive to the interest of Quintin Dick, esquire, to be submitted for the inspection of

"*Charles Woods*, Solicitor, Maldon."

From this time a court was held every day by the Mayor for the same purpose, and claimants were brought from all parts of the kingdom to be enfranchised, and to vote at the election. Among the claimants were 50 bridegrooms, who were presented by their brides for admission. The poll was kept open for 15 days, and the admissions went on throughout the whole 15, commencing at an early hour in the morning, and continuing till a late hour at night.

The mayor at this time was the political leader of the corporation party supporting Mr. Dick. He states that, although the limitation of time prescribed by the charter had run out, he took upon himself the responsibility of these admissions, partly because he had been threatened with a mandamus in case of refusal, and partly from other circumstances which he thought unnecessary to state. The town clerk had suggested the propriety of a legal opinion, and that the recorder should be consulted. The recorder was present; but the mayor preferred to act on his own responsibility.

In the court he held for the purpose, he first determined the title of the claimants, and then, as Returning Officer, he registered their votes. On one of the 15 days he appointed a deputy, and that deputy was Alderman Bugg.

The rapidity with which the certificates, indentures, enrollments, and other evidences of Title, were examined, the claim to the franchise established, and the burgess oath administered, while the poll was going on, appears from the following statement of its daily progress:

Admissions during the Poll.

Daily Number of Admissions.	
First day	67
Second	117
Third	108
Fourth	114
Fifth	65
Sixth	80
Seventh	60
Eighth	30
Ninth	55
Tenth	59
Eleventh	44
Twelfth	47
Thirteenth	64
Fourteenth	53
Fifteenth	54

Except

Except in a few cases, the Fees were not paid by the freemen. The town clerk says, that he gave credit to different gentlemen acting on the committees, who gave him an acknowledgment at the time, and subsequently paid them. On the part of Mr. Dick, they were paid by the present mayor.

The whole number of freemen polled at this election was 3,200, and of this number 1,017 were admitted during the poll. The number admitted between the appearance of the first advertisement and the close of the contest was 1,855. In 1831 the male Population of the Borough was 1,859.

Of the 3,200 voters, one-half were not resident within 20 miles of the town. The whole number was distributed as follows:—

Voters within 20 miles of Maldon	1,600
Voters from London	586
Voters dispersed over the country beyond 20 miles	734
Voters out of the county	280
	3,200

The state of the town and its neighbourhood, at this period, may be inferred from the amount of the tavern bills paid by the election agent of one of the three candidates. Within the town alone they amounted to 2,500*l.*, and in the adjoining villages to 1,500*l.* more. These were the sums paid by the present chief magistrate on account of Mr. Dick.

The expenses of another candidate and his supporters are estimated by a leading member of his committee at 20,000*l.* More than half that sum was paid away by one individual in the town.

The whole expense attending these enfranchisements, and the election, which was their object, are calculated by those who were actively engaged in it, as agents and partisans, at not less than 50,000*l.*

Average number of Admissions.

From the close of the poll in 1826 to the present time the number of persons taking up their freedom has never exceeded 57 in a year, and then only in 1833. The total number admitted during the seven years 1827–33 was 117, or on an average rather less than 17 a year.

Collective Functions and Privileges of the Freemen.

The collective functions of the Freemen or Commonalty are exercised at a "common-hall," where they assemble on the charter day, and to which on other occasions they are summoned by the mayor.

The ancient summons was a public notice affixed to the town-hall on the preceding day, and the town crier was sent round on the day of meeting. The present practice, established by a recent order of the council, requires six days' notice.

From the time the new charter was granted till the year 1823, the commonalty were only twice assembled, and on both occasions they were called together to sanction an alienation of property; in the first instance to Alderman Lawrence, and afterwards to Alderman Bugg. During this period leases were granted by the council without their concurrence. (*See* "Alienations.")

In 1823 they became discontented with the management of the Council, and called for the restoration of their ancient rights to assemble on the charter day, and to examine the corporation accounts. On that day accordingly they assembled of their own accord, and it was proposed at the common-hall that a committee should be appointed for the investigation of past accounts. The proceedings which followed illustrate the practical working of this mixed constitution.

The proposal of a committee had been made by one of the commonalty. The mayor desired the town clerk to take no notice of a proposition made by a commonalty burgess. He said that there were designing individuals among them, who would soon make Maldon as bad as Ipswich. The mayor at this time was the same individual who presided at the admission of freemen in 1826. It was urged, on the part of the freemen, that large sums had been received by members of the corporation, and not accounted for. They persisted in their purpose; the council seceded in a body from the hall; and then the following resolution was carried:—

"Resolved, that by the ancient custom of this borough the commonalty burgesses were of right present at 'the court for election of officers on the Friday next after the feast of the Epiphany,' at which court the accounts of the said borough were submitted to them; and the officers, whose appointments are not particularly specified in the charter, were, at such annual court, elected."

Having passed this resolution, they required the mayor to admit them to the exercise of these privileges. The mayor refused. They then further resolved:—

"That the mayor, in refusing the commonalty burgesses their request to be present at the above annual court, is a violation of their ancient privileges, discreditable to the mayor, and dangerous to the liberties of the freemen.

"That the mayor, in having refused to lay before the burgesses a statement of the accounts of the borough, creates considerable suspicion that the revenue has been applied to corrupt and illegal purposes.

"That proceedings be immediately commenced for bringing before his Majesty's Court of King's Bench this daring violation of the ancient privileges of the free burgesses."

At the same meeting it was proposed by the mayor,—

"That the mayor and justices for the time being, and such other of the select body of the corporation as may think proper, be and they are hereby appointed a committee to examine and investigate the chamberlain's

MALDON.

chamberlain's accounts since the restoration of the charter; and that John Payne, Benjamin Baker and Joseph Pattison, esquires, be requested to attend such meetings, and give their assistance in such investigation; and that the said committee do meet at the town hall on the first Monday in every month, at the hour of ten o'clock in the forenoon; and that they continue such meetings until the accounts be finally audited.

"The same being taken into consideration, it was immediately agreed to, and the town clerk is directed to communicate the same to the said John Payne, Benjamin Baker and Joseph Pattison accordingly."

At a subsequent meeting of the council the town clerk reported:—

"That the committee, Messrs. John Payne, Benjamin Baker and Joseph Pattison, who were requested to meet them for the purpose of inspecting the chamberlain's accounts, did meet at the Moot-hall on Monday, the third day of February, being the first Monday in the month, when the town clerk was deputed by the chamberlain to say, that he did not consider himself obliged to produce any other accounts than the annual account delivered at the last Epiphany meeting; and that the town clerk had made the same report to two other meetings of the said committee, on Monday the third day of March, and on Monday the seventh day of April then next following."

Instead of supporting the committee which had been appointed on the charter day, the council selected two of the aldermen as auditors of these accounts. The auditors made no report, and the accounts in question have never to this day been passed, either by the council or by the commonalty.

Since 1823 the Commonalty have continued to assemble on the charter day, and have been admitted to the common hall without dispute. They do not elect the annual officers; but the accounts are annually submitted to them, after examination by the council.

Character of the Freemen as an Electoral Body.

The number of Freemen who retain their right to vote for Members of Parliament under the Reform Act is 262, and 225 reside within the municipal limits of the borough. Of these, 225, less than one-half, would be entitled to vote as householders.

A general system of Treating has long prevailed at the elections, and of late years it has been the custom to distribute among the freemen tickets, called refreshment tickets, which entitle the holder to receive a sum of money after the election. They are distributed by the committees of the candidates, on the production of vouchers for their votes, and the vouchers have been openly delivered by the check clerks upon the hustings.

These tickets were first introduced after the contest of 1826, and they have been continued ever since, so that their distribution is now looked upon as one of the customary rights of the borough.

At the last election suspicions were entertained that one of the opposing parties might take advantage of the illegality of such a custom, and it was thought desirable by the several committees to come to some arrangement, which should place them all on an equal footing, and secure the usual benefits of treating without the fear of its legal consequences. With this view it was proposed that tickets should be issued on all sides, upon an understanding that no advantage was to be taken of it by any.

An arrangement to this effect was made at the Vicarage, where one of the committees was sitting. The Vicar himself, it appears, was the medium of communication between the contracting parties. At first, indeed, he did not recollect that he had been present when such an arrangement was made. He had, and he had not. Then he thought it not improbable that it might have been made at the vicarage. When brought back to his recollection, he admitted that it certainly was made there, and he gave the following account of the matter:—His drawing-room was occupied by one of the committees; this was the committee of the candidate supported by the corporation. While he was sitting one day in his dining-room, a deputation came from the other side with the proposal in question. He carried the proposal himself to the drawing-room, and brought back the acquiescence of the committee there assembled. It was then understood to be a point of honour, that neither party should take advantage of the treating. They were all anxious, he says, to come to an understanding, and the simple question was, whether the committee would take advantage of the tickets to be issued. The whole matter was strictly confidential.

At this time nothing was settled about the amount for which they were to be given, and when it was afterwards limited to 7*s.* 6*d.*, the freemen found that by splitting their votes they could obtain a ticket for each, which led to the promise of a second by one of the parties. The present Chief Magistrate, acting on this occasion as the agent of the corporation candidate, limited the payment of double tickets to those who had given plumper votes. These double tickets, however, were considered a breach of the contract, and a petition was threatened by the agent of the losing candidate. He appears to have been deterred from proceeding by the illegality of the agreement ratified at the vicarage, to which he had himself been a party. The whole number of tickets issued could not be ascertained; but in addition to the legal expenses of the election, a return of which has been officially made to the Government, the sums paid by two of the three agents amounted to nearly 1,300*l.*

The continuance of this practice is excused on the ground that many of the freemen are poor men, who cannot afford to lose their day's work without remuneration. Distinguishing the issue of such tickets from bribery, the Mayor says, that not one shilling has been given as a bribe, either by himself or by his principal, since his connexion with the borough.

The

The personal Privileges and immunities of the freemen are,— Personal Exemptions and Privileges.

1. Exemption from tolls throughout the kingdom; a privilege claimed without being exercised.

2. Exemption from service on juries out of the borough. This exemption is shared with the rest of the inhabitants.

3. A right of common and of cutting timber on Tiptree Heath and Borough Marsh was formerly exercised, and when the common was inclosed some years ago, the corporate rights were expressly preserved by the Inclosure Act; but since then they have never been enforced, nor do they appear to have been known to the freemen.

4. An exclusive right of fishing within the waters subject to the borough jurisdiction.

5. A monopoly of trade within the borough. In 1813 an attempt was made by the council to enforce this monopoly by a fine. They made the following order:—

"It is also ordered, That the sum of six shillings and eight-pence, heretofore taken of every foreigner exercising any trade within the said borough, be forthwith demanded by the serjeants-at-mace; and that two years due on the 22d of October last past be taken of each and every person so exercising any trade who are not freemen of the same."

It was found impracticable to enforce this order.

The Privileges of the franchise were formerly confined to the resident burgesses. Among the "Ould Customes" of the borough which have been referred to in stating the functions of the council is the following municipal regulation:— Former connexion between Corporate Privileges, Residence and Local Taxation.

"It is also agreed that every freeman now being, or hereafter to be made, that do depart and dwell out of the liberty of this town, that then during this time the said freeman shall not enjoy his liberty, or no benefit thereof, but he shall be always charged with the shott and lott, as every other freeman is charged with, all dwelling within the said town."

On returning to residence, the burgesses who had not omitted to pay scot and lot were allowed to resume their corporate privileges.

"And in consideration thereof, paying his lott and shott in manner and form abovesaid, if the same freeman be minded at any time to come and dwell within the said town hereafter again, that then he to have and enjoy his said liberty and the benefits thereof, during such time as he shall there so long dwell."

But if they had omitted to pay scot and lot, they were deprived of the franchise.

"And if any freeman dwelling out of the liberty or within that shall deny or refuse to pay his said lott and shott in manner and form abovesaid, that then every such freeman as shall so refuse and not pay it, shall from henceforth be utterly void and excluded of his liberty for ever."

The payment of scot and lot was also enforced by the oath administered to the freemen on their admission. The oath was this,—

"You shall bear faith and truth to our Sovereign Lord George the Second, by the grace of God King of Great Britain, France and Ireland, Defender of the Faith, &c., and to his heirs, kings and queens of this realm: You shall be true to the franchises and liberties of this borough of Maldon; the rights, usages and customs of the same you shall keep and maintain; the counsel of the town you shall truly keep and not discover; you shall colour no man's goods under your own goods, nor by your consenting; you shall be governed by the bailiffs of the town for the time being in all things needful; you shall bear scott and lott as other burgesses do, after your power; and you shall be here at the court every year on the Friday after the Epiphany of our Lord God, if you be within seven miles and lawfully may come."

For this oath, another, borrowed from the neighbouring corporation of Colchester, has been substituted by the modern council.—(*See* Report on the Borough of Colchester.)

The freemen are no longer sworn either to pay scot and lot, or to attend at the borough court; but they are still required to swear that they will be "ready to help with all their power, goods and chattels at all times in which they shall be required and assessed in all manner of reasonable aids, charges and helps to the said borough be falling or needful, whatsoever it be;" and that they will maintain "all manner of good constitutions, ordinances, usages and franchises, as well of new as of old constituted, or ordained or to be ordained in the said borough."

It is the neglect to maintain these "ordinances, usages and franchises of old constituted," which has changed the Constitution of the corporate body; and, in the present distribution of the franchise, while the great majority of the freemen are exempted from assessment for the "reasonable aids, charges and helps to the said borough befalling or needful," the great majority of the inhabitants who are assessed to these charges are excluded from the freedom.

The proofs of this will be found in the following statistical facts.

In the parish of Saint Peter's, which is the principal parish of the borough, there are 93 freemen, and of this number 40 pay no rates, while five are receiving parish relief. Of those who are rated, 24 are rated at 3*l.* and under. Present distribution of the Franchise.

There are 41 registered voters, assessed at 855*l.* 10*s.*, who are all excluded from the franchise.

The whole property assessed to the poor rate in this parish is valued at 3,461*l.* 10*s.* The sum for which the freemen are assessed is 1,124*l.* 10*s.* Of this sum more than one-

MALDON.

fourth is the assessment on the property of two individuals out of the three who were proposed and rejected as members of the council when the new charter was granted.

In the parish of Saint Mary's, which is the next in importance, there are 97 freemen; and of this number only 52 are rated above 3*l.*, while six others pay no rates.

In the remaining parish of All Saints, there are 51 freemen, and of this number 17 pay no rates, two receive parish relief, and 22 are rated above 3*l.*

The whole property of the borough assessed to the poor rate is valued at 6,644*l.* 10*s.* The amount for which the members of the corporate body are assessed, is 2,809*l.* 10*s.*; and of this sum, about one-half is the assessment on six individuals.

It appears, therefore, that in the three parishes which compose the borough, there are 241 freemen; and of this number 63 pay no rates; 75 are rated at 3*l.* and under; and 103 are rated above 3*l.*

It also appears that the owners and occupants of much more than half the property, which is taxed for local purposes, are unconnected with the corporation.

A similar result is obtained from a comparison of the land and assessed taxes paid by the freemen and by the rest of the inhabitants. It has already been stated that seven members of the council pay no taxes, and that the whole sum paid by that body is 51*l.* 12*s.* 4*d.* Of the freemen, not members of the council, only 41 are taxed; and the amount they contribute is 400*l.* 4*s.* 5*d.* The whole sum therefore paid by the corporate body is 451*l.* 16*s.* 9*d.*

The amount raised in the borough exceeds 1,100*l.*

IV. Jurisdiction.

Nature and Extent.

The Criminal Jurisdiction of the borough is in practice exclusive. The civil jurisdiction is now obsolete.

Magistracy.

The Magistracy consists of the mayor, the recorder and the two assistant justices.

Local Courts.

The Local Courts are,

1. A Court of Sessions.
2. A Court of Record for the trial of civil actions.
3. A Court of Record for passing the estates of married women.
4. A Court of Admiralty.
5. A Court of Pie Poudre.

1. Sessions.

The Court of Quarter Sessions is held either three or four times a year, according to the state of business. The mayor and recorder always attend, and generally the other two magistrates.

This court has cognizance of all offences committed within the limits of the borough; but the practice has been to send the more serious offences to the assizes. The last case sent was a charge of horse-stealing.

Juries.

The Juries, both grand and petty, are empannelled by the town clerk, and summoned by the serjeants at mace, without any fixed order or plan.

About 50 persons are considered eligible for the grand jury, but many of the leading inhabitants are excused as a matter of favour.

A gentleman who has frequently served complains that the persons selected are not qualified by their station in life for such duties.

Many of the petty jury complain that they are too frequently summoned.

The number of prosecutions, convictions and acquittals during the last three years is as follows:

YEARS.	No. of Prosecutions.	No. of Convictions.	No. of Acquittals.	No. against whom no Bill found.
1831 - - -	4	4	–	–
1832 - - -	5	4	–	1
1833 - - -	11	9	2	–

All these prosecutions were for felony.

Since 1810, the greatest punishment inflicted has been transportation for seven years, and this only in one instance. The longest imprisonment has been for 12 months.

There is no fixed table of fees, but they are said to be the same as at the county sessions. For an ordinary prosecution the town clerk receives about 2*l.* The costs are taxed by the mayor.

Borough Rate.

A Borough Rate was imposed for the first time at the Easter sessions of last year. The amount raised was 68*l.* 15*s.* A second rate was imposed at the Michaelmas sessions, and the same sum was raised.

Indictments of political Opponents.

There are two modern instances of indictments preferred at these sessions by the municipal authorities against their political opponents.

In

In both cases, the opponents had been originally proposed for the council and rejected.

In the first case, Mr. Payne, one of the principal merchants in the place, was indicted for a nuisance, and a true bill was found by a grand jury, two-thirds of whom were political supporters of the council, and some of them persons who were never on the grand jury, either before or since. Seeing the composition of the jury, and believing that he could not have a fair trial before the borough magistrates, this gentleman removed the indictment to the Court of King's Bench, was tried at the assizes, and acquitted. The removal, he states, was suggested by the recorder.

The prosecutor on this occasion was Alderman Bugg, then mayor; and the corporation were charged with the expenses.

It was in the same year that a *quo warranto* was obtained against the same merchant, on the relation of the mayor, to oust him from the corporate office to which he had been elected.

The second case was also an indictment for a nuisance, against another leading inhabitant. It was conducted by Alderman Lawrence, instructed by Alderman Bugg and others, and brought in the name of the constable. This was dropped for want of funds. A second indictment was preferred against the same individual, and the grand jury threw out the bill.

Petty Sessions.

The Petty Sessions are held every Tuesday before the mayor and another magistrate, attended by the town clerk or his son. The borough is generally quiet, and there is frequently no magisterial business to transact.

2. Court of Record.

A civil court, called the Court of Record, was formerly held every three weeks before the bailiffs. It had fallen into disuse before the corporate functions were suspended, and has not been held since the new charter was granted.

Small debts are now abandoned by the tradesmen and other inhabitants of the town, rather than incur the expense and inconvenience of going to the county court at Chelmsford. The want of an efficient local jurisdiction is represented as very injurious to the trade of the place.

3. Court for passing the Estates of Married Women.

A Court of Record is held by the mayor for passing the freehold estates of married women. The property must lie within the precincts of the borough.

4. Court of Admiralty.

The Admiralty jurisdiction is almost obsolete. The last court was held in 1818, before the mayor and other members of the council, when a jury of fishermen was sworn by the town clerk. Several presentments were made, but there have been no further proceedings.

5. Pie Poudre Court.

The Court of Pie Poudre is still nominally held by the mayor for the proclamation of the fairs.

Police.

The constables alone form the local Police. Their appointment has been stated. (*See* Officers appointed by the Council.)

Gaol.

The borough Gaol contains only two apartments, without any separation of cells, and these two rooms are used for offenders of all classes, including vagrants. There is nothing like classification.

The number of commitments for crime during the last three years has been as follows:

1831	7
1832	7
1833	16

Commitments for trial:

1831	4
1832	5
1833	10

One of the last 10 was a female. All except one were charged with felony; and all but three were afterwards convicted.

Number of vagrants confined in the same three years:

1831	4
1832	6
1833	3

During the last year there have been no recommitments.

The greatest number of persons confined at one time within the year was five.

The longest imprisonment since 1810 was for 12 months. The longest during the last year was for three months. The prisoners are all unemployed.

Of the 16 committed in 1833, three have been returned as sick.

The daily allowance to each is one pound and a half of bread, and a quart of beer; and once a week they are allowed a pound of meat. This is provided by the gaoler, whose charges for maintenance vary from 5*s.* 3*d.* to 7*s.* a week for each prisoner. He also charges for their custody. For the care of one it is 3*s.* a week, and for the care of two he charges 5*s.*

These expenses are paid by the parishes.

MALDON.

This gaol is visited by the borough magistrates at irregular intervals, but usually once a fortnight, and the longest interval has been three weeks.

The county gaol is used when prisoners are sentenced to hard labour. Last year five prisoners were sent there after conviction.

Licenses.

Licenses are granted by the borough magistrates, occasionally assisted by a magistrate of the county. At the last licensing day a county magistrate attended in the place of the mayor, who is a wine and spirit merchant.

The number of public-houses in the borough is 15; one of which belongs to a member of the council.

Since 1810 no license has been suspended, nor has any house been presented. The houses are said to be generally well conducted.

Instance of a License granted to his own house by a Magistrate and his Solicitor.

The last License was granted under the following circumstances. A beer-shop belonged to one of the magistrates, for which he was desirous of obtaining a license. He urged Alderman Lawrence, his brother magistrate, to join him in granting it; but the latter, a solicitor, entertaining some scruples about the legality of such an act, at first refused to do so, and only consented upon the other's agreeing to a conveyance of his house to the tenant. A deed of conveyance was then prepared by the one magistrate, executed by the other, and on the following day they both joined in granting the license. A third magistrate was present, but refused his signature. A petition against this license had been numerously signed by the inhabitants of the parish, but did not avail. It was granted in 1831.

Last year the magistrate who had executed this conveyance to the publican became a bankrupt. In the papers which then came into the possession of his assignee no notice appeared of this conveyance, nor did it appear that the purchase-money had ever been paid; but in the bankrupt's accounts with the publican he continued to charge him with the rent of the licensed house up to Lady-day 1833, more than 18 months after the execution of the conveyance. These accounts had been settled and passed on behalf of the publican by Alderman Lawrence, the other licensing magistrate, then acting as his solicitor.

The following explanation of the matter is given by Alderman Lawrence:—

The deed of conveyance, he says, was regularly executed before he would comply with the wish of his brother magistrate, by joining in the license; but at the same time, he admits, that he was not without his suspicions. There had been, previous money transactions between the magistrate and the publican, and it was not at all improbable, he thought, that no money would pass between them on this occasion;—indeed it was most likely that it would not; nor did he believe, at the time he joined in the license, that any money had actually been paid; in fact, it was understood that no money was to be paid. But then, he thought, it might terminate in a *bonâ fide* transaction, if the publican could afterwards find the money. He did not entertain any doubt that the conveyance might be set aside under the bankrupt laws, for want of a consideration; he would not say as a fraudulent conveyance.

This is the explanation given by a magistrate, who, after preparing the deed of conveyance as the solicitor of his brother magistrate, had joined in granting the license; and after joining in the license, had passed the bankrupt's accounts, acting as the solicitor for the publican.

If any doubt could remain of the nature of this transaction, it is removed by the more direct evidence of the bankrupt's son, who at his father's request had engrossed the deed of conveyance, and who was told by his father that the conveyance had only been made for the purpose of obtaining a license, and that the object was well known to his solicitor, Alderman Lawrence, by whom the deed was prepared. This deed, he adds, remained in his father's possession till it was destroyed by himself a few months after its purpose was answered.

The third magistrate who was present when the license was granted and refused his signature, now states the cause of his refusal to have been, that he believed it was a fraudulent conveyance.

Since this transaction Alderman Lawrence has been successively chosen chief magistrate and assistant justice of the borough.

Poor.

The management of the Poor is not in the hands of the corporation.

Proposed extension of the Jurisdiction.

It appears desirable to extend the municipal jurisdiction throughout the new Parliamentary borough. The only objection urged against such a change was the indisposition of the inhabitants of Heybridge to pay the borough rate lately established. The residence of county magistrates in the town has prevented any inconvenience from the separate jurisdiction which now exists; but this is an accidental circumstance.

V.
PATRONAGE.

The only Patronage of the corporation is exercised by the mayor and aldermen, in the appointment of the master of a Grammar-School of the town, and in the selection of three boys for the foundation.

The late master, who died last year, was the vicar of Heybridge. He was appointed in 1810, and died without having entered on his duties.

His successor is the curate of two parishes within the borough, and a graduate of Trinity College, Oxford.

The funds of the school are not under the control of the corporation.

VI.
PROPERTY.

The corporation are lords of the Manor of Much Maldon.

The new Charter recites, that "the estates and possessions belonging to the same borough are held and enjoyed by strangers, wrongfully and without title." Of these estates the two principal

principal were the Portman Marshes and a farm called Sabborn's Farm. They had been mortgaged before the dissolution in 1786, and they have been alienated since the restoration in 1810. (*See* "Alienations.")

The property recovered, and retained, consists of the town hall, a wharf, a quay, a few inconsiderable buildings and three small pieces of land, all within the borough.

They are occupied under 11 distinct leases, and two of the lessees are members of the Council. One of the two is an alderman and magistrate.

This alderman, on obtaining his lease, took possession of some corporation land adjoining the premises demised, but not included in his grant. The mistake escaped the council, but was discovered by one of the commonalty burgesses, and the alderman was allowed to retain the additional land, on paying an additional rent. It appears from this instance that the commonalty have become more watchful, or more independent guardians of their property than the council.

The full value of the small property left is secured by public competition, and every lease is now put up to auction.

Income.

The rents reserved amount to only 67 *l.* 10 *s.* a year, and these, with the casual receipts for fines and fees, form the whole revenue of the corporation.

The total Receipts during the last three years have been as follows:

RECEIPTS.	1831–2.	1832–3.	1833–4.
	£. s. d.	£. s. d.	£. s. d.
Balance in hand - - -	88 2 10½	43 15 4	13 8 5½
Rents and casual receipts -	59 – 9	92 4 2	86 11 10
Loan - - - - - -	- - -	300 – –	- - -
Balance - - - - - -	- - -	- - -	5 10 9¼
£.	147 3 7½	435 19 6	105 11 –¾

Charges and Liabilities.

The loan which appears among the receipts of 1832–3, was appropriated to the payment of the town clerk's bill, which was allowed to go on for 12 years, till it amounted to 1,292 *l.* The 300 *l.* were paid as a composition, and a release was given for the remainder.

This new debt is secured by a mortgage, and the interest is 5 *l.* per cent.

A further charge on the property is a fee-farm rent of 6 *l.* 13 *s.* 4 *d.* reserved to the Crown, in right of the manor.

Expenditure.

The Expenditure of the same three years has been as follows:

EXPENDITURE.	1831–2.	1832–3.	1833–4.
	£. s. d.	£. s. d.	£. s. d.
Salaries - - - - - -	7 2 –	28 – –	30 – –
Repairs - - - - - -	43 5 1½	31 1 11½	19 1 11¾
Fee-farm rent, taxes, and incidental charges - - -	53 1 2	63 9 1	56 9 1
Payment to the town clerk -	- - -	300 – –	—
Balance - - - - - -	43 15 4	13 8 5½	—
£.	147 3 7½	435 19 6	105 11 –¾

The interest payable on the loan is included among the incidental charges. The repairs, it will be observed, absorb nearly half the rental.

Accounts.

The Accounts are now made up annually, examined by the council, and submitted to the commonalty on the charter day. (*See* "Chamberlain.")

Alienations of Property.

It has been observed, that one of the last acts of the corporation before its functions were suspended, was to mortgage the town property: the mortgagee was the town clerk. When the new charter was granted in 1810, it was found that these estates had passed into the possession of different individuals. Some of the smaller ones were recovered by ejectment, others were abandoned.

Alienations to Ald. Lawrence.

The principal estate, called Portman Marshes, comprising 84 acres of land, was held by Alderman Lawrence, a grandson of the town clerk, to whom it had been mortgaged. When called upon to deliver up the estate and account for the mesne profits, he not only refused to do so, but claimed to hold the property as his own.

It appears that in 1775 the representative of the mortgagee obtained possession of these marshes by an ejectment against the tenant of the dissolved corporation. A fine was afterwards levied, and it was under this fine that the fee simple was claimed by the alderman. The recorder's opinion was taken on the subject of these claims, and in conformity with that opinion a Chancery suit was commenced to recover the property. While this suit was in progress, the alderman delivered in a statement of his account with the corporation, in

MALDON.

which he made it appear that the mesne profits of the estate, which for many years previous to 1800 had been let for 40*l.* a year, and since that time for 105*l.* a year, were not only insufficient to pay a mortgage debt of 243*l.*, with its accruing interest, but that he had a further claim on the corporation for a considerable sum of money. In this statement of his claims, which he delivered without prejudice, he charged the corporation with all that he had laid out on the property since it came into his own possession, including the expense of a sea walling, which he estimated at more than 1,000*l.*, besides the expenses of levying the fine to establish his title, and other expenses incurred in litigation.

A committee of the Council was appointed to investigate the account. They reported that a sum of at least 3,000*l.* was due to the alderman, recommended an adjustment of his claims, and that a copy of their report should be transmitted to the recorder. Without, however, waiting for the recorder's further opinion, the council determined to grant a release of the estate, and a common hall was convened to obtain the concurrence of the commonalty.

It was upon this occasion that the Commonalty assembled for the first time under the new charter. Alderman Lawrence had then in his possession, besides this estate, the charters and other muniments of the corporation, which had been deposited, he states, with the former town clerk, as a security for other debts. What these debts were does not appear. A resolution was proposed at the common-hall to release the corporation rights to the estate, on condition that the charters and other documents should be given up, and the claim to the 3,000*l.* withdrawn. A warm discussion took place; violent language passed among the aldermen; the commonalty divided; and the resolution was passed.

It appears that the freemen were ignorantly led to expect some important advantage from the recovery of these records. They trusted to the investigation of the committee, which included some of the most strenuous supporters of the commonalty rights, and among them was Mr. Payne, who excuses this proceeding by the difficulty of procuring funds to carry on the Chancery suit; but at the same time avows his opinion to be, that the poorer the corporation are the better—an opinion, he says, founded on his long experience of the abuse of their power for party purposes. He adds, that Alderman Lawrence was at that time his solicitor and confidential adviser; and that placing too much reliance on his statement, he did not examine his account so strictly as he should now do, when all confidence is at an end.

The recorder, who had recommended that the corporation should enforce their rights in the Court of Chancery, observed, on receiving the report of the committee, that the claims which had been so rapidly adjusted would have occupied him at least six weeks; but if gentlemen choose to give away their estate, it could not be helped. The town clerk refused to attend the corporate meeting, at which the resolution was passed to abandon this property; and the following protest, signed by Alderman Bugg, and three other members of the council, was entered in the corporation books:—

Protest of Alderman Bugg against this alienation.

"We, the undersigned, being members of the corporate body, do most solemnly protest against the proceedings of the court holden this day, as being illegal, and contrary to common reason; that we feel it our bounden duty to record to posterity our disapprobation of alienating the corporate estate without the consent and advice of our law officers, and that we execrate and condemn the proceedings altogether."

Alienation to Alderman Bugg.

The next alienation was to the same Alderman Bugg, by whom this protest was entered.

An estate called Sabborn's Farm, comprising 58 A. & 17 P. of land, was found in the possession of a gentleman residing in the town, who held it as executor of the mortgagee. When called upon by the council, he immediately rendered an account of the mesne profits, estimating the rent at 16*l.* a year, and claiming a sum of 316*l.* as due to himself from the estate.

Acting in this case under the recorder's advice, the council proposed the following arrangement:—On surrendering the mortgage term, and waiving all claim to the stated deficiency, the occupant was to have a lease of the same property, at a clear annual rent of 64*l.*, with a covenant on his part to do all the repairs. This proposal was at once readily acceded to. The lease was executed in 1814, and a complimentary vote was passed by the council for the fairness and liberality displayed by their tenant.

In 1816, two years after this lease was granted, the Council determined to sell the estate for the payment of debts; what these debts were, nobody knows. They are not stated in the resolution to sell, nor is there any chamberlain's account to show either their origin or existence. A Committee was appointed to superintend the sale, and to fix a reserved bidding. This committee included the then mayor; Mr. Payne, then an alderman and magistrate; Alderman Bugg, who was at that time the chamberlain; Alderman Lawrence, then a capital burgess; other members of the council, and two of the freemen or commonalty burgesses. The two last were specially appointed to watch over the interests of the Commonalty. This committee met, but one of the two members selected on behalf of the commonalty was not summoned to its meeting; nor did he receive any notice that he was a member. The other states that he never attended, although his name appears among those who were present. It was settled that the sale should take place in London by public auction. Mr. Payne, having obtained a promise from the mayor that no committee should be held in his absence for the appointment of an auctioneer, left the borough for a few days. He found on his return that the committee had appointed a personal friend of

Alderman

Alderman Bugg. The mayor expressed to him some surprise at the appointment, but the mayor also was an intimate friend of Alderman Bugg.

Mr. Payne then suspecting that the sale was to be a smuggled transaction refused to have any thing to do with it, and requested that his name might be struck off the committee.

A few days before the sale the committee again met, and it was arranged that the mayor should attend the auction, appoint a fit person to bid for the estate, and fix a reserved bidding. The mayor did not attend the sale, and no reserved bidding was fixed. The members who did attend were Alderman Bugg and Alderman Lawrence. After a few biddings, the estate was knocked down for 1,400*l.* and the auctioneer's brother was declared to be the purchaser. Three weeks afterwards the mayor reported to the council that the chamberlain himself was the purchaser. Soon after the sale, and before the conveyance of the estate, Alderman Bugg resigned the office of chamberlain, and was succeeded by Alderman Lawrence. On the following charter-day the former was elected mayor, and during his mayoralty the corporation seal was affixed to the conveyance. On the deed of conveyance a receipt for the 1,400*l.* was endorsed by the new chamberlain Alderman Lawrence.

This sum has never been accounted for. Alderman Lawrence states that it was not paid to him, although he signed the receipt; that he applied for it without success; that Alderman Bugg afterwards produced to the council an account, showing claims on the corporation exceeding the amount of the purchase money. The production of such an account is denied as well by the town clerk as by several members of the council.

It appears that, at various times subsequent to the sale, Alderman Lawrence received from the purchaser sums amounting to 500*l.* which were expended, he says, in litigation. There had been a deposit of 280*l.* in the hands of the auctioneer, and of this sum 160*l.* were paid over to the mayor. No order is found for this payment. The mayor also received from Alderman Bugg 250*l.* for which he gave the following receipt:

"Received 1st September 1818, of William Bugg, esquire, the sum of two hundred and fifty pounds, on account of my demand against the corporation of Maldon; and I agree and undertake to repay the said sum on being thereto required, if the allowance of my account to that amount shall be rejected by the corporation. And I further agree, at any time hereafter, on being required, to execute to the said William Bugg a bond and warrant of attorney for securing the above named sum."

Before his account was produced he became a bankrupt. In the statement rendered by his assignees credit is given for these sums, and against them are set off the costs of an action of trespass brought against himself, amounting to 204*l.* This action had not been defended by the corporation, nor under their authority; and the town clerk says that their only connexion with the defence was his own attendance at the trial, under a subpœna, to produce certain documents. The solicitor was Alderman Lawrence, and the sum set off was the amount of his bill.

The subsequent proceedings of the purchaser against the tenant in possession furnish additional evidence of the character of this sale. At the time the estate was sold it was specified in the particulars of sale that there was an existing lease, and the tenant was described as a person of indisputable responsibility. At the time this lease was granted a vote of thanks to the tenant was passed by the council for the liberal disposition he had displayed in the adjustment of his accounts. Alderman Bugg had joined in the vote.

On 5th April 1819, six months after the execution of the conveyance, the alderman offered his purchase to the tenant for 2,000*l.* His offer was made through Alderman Lawrence, then acting as his solicitor, and this was stated to be the lowest sum which could be accepted. On the tenant declining the offer, Alderman Bugg brought an action of ejectment to turn him out of possession. The ground of his action was, that the lease had not been sanctioned by the commonalty.

He had himself, as a member of the council, concurred in the lease, and had seceded with the rest of the council in 1823, when the commonalty asserted their rights over the corporation property. Upon all occasions, he had been one of the most strenuous opponents of those rights.

From the year 1818, when he became the purchaser of this estate, and resigned the office of chamberlain, till 1830, when he died, he was annually chosen a magistrate of the borough, and was three times chosen mayor.

VII. STATE OF THE TOWN.

The statistical condition of the borough may be collected from the following official Returns:

1. Population:— Population.

1801	2,358
1811	2,679
1821	3,198
1831	3,831

Of this population about 200 persons reside out of the town. The number of males is 1,859.

It appears that the ratio in which it has increased from 1811 to the present time has been constant, and nearly one-fifth in each decade of years.

2. Occupations:— Occupations.

Families	Agricultural	122
	Trading, manufacturing, &c.	306
	Not comprised in these classes	296

3. Houses:—

MALDON.

Houses.

3. Houses:—

Number of houses at 10*l.* and under 20*l.* rent - -	80
at 20*l.* - - 40*l.* - - -	49
at 40*l.* and upwards - - -	4
Total of 10*l.* and upwards - - - -	133

The total number of houses in 1821 was 606. In 1831 they had increased to 732; so that the increase of houses, compared with the increase of population, has been nearly in the proportion of one to five. Of these 732 houses, 689 are within the town, and not more than 57 were then unoccupied. The whole number calculated to be worth 10*l.* a year and upwards was 225, and of these 212 are within the town.

Property.

4. Property:—

The annual value of real property in 1815 was estimated at 8,940*l.* At the present time the property assessed to the poor rate is 6,644*l.* 10*s.*, which is supposed to be about two-thirds of its real value. Assuming this proportion as the basis of calculation, the real value at the present time is nearly 10,000*l.*

Local Taxation.

5. Parochial Assessments:—

The parochial assessments have progressively increased, and are now calculated to be 9*s.* 6*d.* in the pound on two-thirds of the annual value:—

	£.	*s.*	*d.*
1825 - - - - -	2,125	4	–
1829 - - - - -	2,423	7	–
1833 - - - - -	2,712	6	6

The number of rate-payers in the borough is 530; and in the town, 498.

A church-rate of 9*d.* in the pound is made on the same valuation; and a rate of 2*d.* in the pound for the repairs of the bridge.

6. Assessed Taxes:—

	£.	*s.*	*d.*
1829 - - - - -	1,212	10	4
1830 - - - - -	1,161	17	7¼
1831 - - - - -	1,114	10	4

7. Port Return:—

Trade.

The trade of the town is considered to be declining, and the principal cause assigned is the course of a new navigation to Chelmsford, which has been carried along the adjacent village of Heybridge to the Blackwater River.

The following Table shows the number of ships cleared inwards and outwards, during the last 10 years:—

YEARS.	FOREIGN.				COASTWISE.			
	Inwards.		Outwards.		Inwards.		Outwards.	
	Number of Vessels.	Tonnage.	Number of Vessels.	Tonnage.	Number of Vessels.	Tonnage.	Number of Vessels.	Tonnage.
1823	95	4,414	8	363	—	—	—	—
1824	87	4,429	8	313	664	57,157	544	31,650
1825	72	4,134	12	521	683	58,961	660	37,872
1826	39	2,046	22	709	729	60,421	611	33,693
1827	45	2,696	30	938	686	69,810	566	32,585
1828	58	3,243	32	1,116	697	60,383	589	35,839
1829	63	3,469	39	1,521	688	61,211	471	28,269
1830	39	2,999	36	1,780	701	62,276	476	30,039
1831	57	4,144	46	2,975	730	63,153	491	27,743
1832	59	3,929	37	2,199	854	69,159	682	44,111

The following are the Receipts of Customs during the same period:—

YEARS.	RECEIPTS.			YEARS.	RECEIPTS.		
	£.	*s.*	*d.*		£.	*s.*	*d.*
1823 - -	17,010	5	2	1828 - -	14,979	17	6
1824 - -	14 041	11	11¾	1829 - -	16,743	15	10¼
1825 - -	16,934	6	10	1830 - -	9,197	11	1
1826 - -	14,023	16	9	1831 - -	4,603	3	3
1827 - -	14,080	7	8¾	1832 - -	7,031	17	6

The

8. Local Acts:— Local Acts.

1. An Act for building a new Bridge over the River Chelmer or Blackwater, at Full-bridge, in the Town of Maldon, in the County of Essex; 40 Geo. III. 1800.
2. An Act for inclosing Lands in the Parish of Heybridge, in the County of Essex; 51 Geo. III., Sessions 1811.

The town appears to be well provided with Schools for all classes of persons. A national school is attended by about 350 boys and girls; and a Lancastrian school by the same number. The grammar school may become an useful establishment under the present master.

IX. Summary and Observations.

The early Charters of Maldon incorporate the Inhabitants of the borough, and identify them with the Burgesses. The charter of Geo. III. incorporates the Burgesses only; and while it excludes from the freedom the most considerable portion of the Inhabitants, it provides for the admission of a large body of strangers.

The "Ould Customes" by which the town was long governed, confine the Privileges of the franchise to those burgesses who are resident. Under the charter of George III. a body of non-residents, far exceeding the male population of the town, have been invested with the franchise, for the express purpose of exercising its electoral privileges. They were collected from all parts of the country, and even beyond the country, to determine the representation of the Borough, at an expense of 50,000*l.*

The connexion which formerly existed between these corporate privileges and Local Taxation, appears as well in the ancient Burgess Oath as in the same "Ould Customes" of the town. Every burgess swore on his admission to the freedom, that he would bear scot and lot, according to his means, and a non-resident omitting to pay scot and lot was "excluded of his liberty for ever."

Out of more than 3,000 burgesses, resident and non-resident, forming the present Corporate Body, only 178 pay scot and lot in the town; and the principal scot and lot payers are excluded from the freedom.

Such is the present state of the Corporation compared with the past.

The Municipal Council, to which the appointment of the magistracy and the local interests of the town are entrusted, is a self-elected irresponsible body, with an exclusive political character, originally given to it by the charter of Geo. III., which conferred on one party in the town a monopoly of municipal power. In one instance only has a political opponent been elected, and when he refused to sanction what he considered "a smuggled transaction" of his colleagues, he was removed from his office, on the pretence of an irregularity in the election.

While many of the inhabitants who, from their station in life, are best qualified for the duties of local functionaries, are excluded from municipal office on account of their principles and opinions, many are elected with no other qualifications than their political and religious conformity.

Of the Aldermen who are exclusively eligible for the magistracy, two are non-resident, and of the residents one-half are either bankrupt or insolvent. The chief magistrate is the election agent of the Member returned to Parliament in the corporation interest; and his two assistant justices are the political head of the council and Alderman Lawrence, whose official qualifications have appeared throughout the Report.

Of the 18 Capital Burgesses who are joined with the aldermen in the municipal government of the borough, seven pay neither rates nor taxes; two are insolvents, and a third has assigned his effects for the benefit of his creditors.

Regulations made by this Council to restrict the admission of Freemen, and to control the expenditure of the Chamberlain, have been violated by its own members with impunity; the former on occasions of political emergency, and the latter in favour of their own private interests.

For twelve years the office of Chamberlain was held by two of its members. Their accounts were annually called for without being produced, and they were annually re-appointed. On their resignation of the office, the one was chosen an alderman, and the other the chief magistrate of the town.

These two aldermen have shared between them the Property of the corporation. By one an estate was retained under such circumstances, that the Recorder observed, "if gentlemen choose to give away their estate, it cannot be helped;" the Town Clerk declined to register the proceedings; and Alderman Bugg protested against them, "as being illegal, and contrary to common reason, feeling it his bounden duty to record to posterity his disapprobation of alienating the corporate estate without the consent and advice of the law officers," and "to execrate and condemn the proceedings altogether."

This was the alienation to Alderman Lawrence. The next was to Alderman Bugg himself.

A corporation estate was to be sold for the payment of debts, which are not entered in the corporation books, and of which no account can be given by any of its members. The mayor and the chamberlain, with some other members of the council, and two burgesses of the commonalty, were selected to superintend the sale. One of the two commonalty burgesses received no notice that he was a member of this committee; another of the members, sus-

MALDON.

pecting that the sale was to be a smuggled transaction, refused to take any part in the proceedings. The mayor was specially appointed to attend the auction in person, and take the necessary steps to secure a fair bidding. He did not attend. The chamberlain, Alderman Bugg, did attend, having previously selected a personal friend to be the auctioneer on the occasion; and he was accompanied by Alderman Lawrence, another member of the committee. The auctioneer's brother was publicly announced as the purchaser, but the real purchaser was the chamberlain himself.

Having bought the estate, he resigned his office, and was chosen mayor. Alderman Lawrence, his companion at the sale, succeeded to the office of chamberlain. After this change in their respective corporate functions, a conveyance of the estate was executed by the one, and a receipt for the purchase-money was given by the other.

Neither the council which ordered the sale, nor the committee appointed to superintend it, nor the chamberlain who gave the receipt, nor the town clerk who registered the conveyance, nor any other corporate officer, can give any account of the proceeds. The corporation books are silent. The chamberlain, admitting his signature to the receipt, denies that he received the money, and asserts that the alderman accounted to the council; this the council deny. The purchaser, says one of the committee, was too powerful to be called to an account by the council.

Two payments were subsequently made, which appear to have some connexion with the sale. The mayor received 250*l.*, and the chamberlain 500*l.* The mayor had neglected to attend the auction, and he neglected to pay over this portion of the proceeds. When he afterwards became a bankrupt, his assignees, in giving the corporation credit for this sum, set off the costs of an action against himself, with which, in the opinion of their town clerk, they had nothing whatever to do. As to the sum paid to the chamberlain, he had never been in the habit of accounting for his receipts, and he maintained his usual reserve upon this occasion. The money, he now says, was expended in litigation. He is a solicitor.

No part of the 1,400*l.* for which the estate was sold, can be traced beyond these three members of the Superintending Committee; and as the debts for which it was sold remain unknown to their books, their treasurer, their town clerk, their committee, and their council, so does the application of the proceeds.

But the history of the sale does not terminate here. Within six months after the execution of the conveyance, Alderman Bugg, through the medium of Alderman Lawrence, the new chamberlain, offered his purchase to the corporation tenant at an advance of 600*l.* on the auction price; and his offer was no sooner declined, than he commenced legal proceedings to turn him out of possession. As a member of the council, he had not only voted for the lease, but had concurred in a vote of thanks to the tenant for his liberal dealing with the corporation. As a member of the committee he had fixed the conditions of sale, and under these conditions had purchased, subject to the lease. But finding that the tenant would not add 600*l.* to his recent bargain, he brought this action against him to deprive him of the lease; and although he had himself been one of the most strenuous opponents of the constitutional rights of the commonalty, his only ground of action was that the lease had been originally granted without their concurrence.

When by these alienations the revenues of the town had been reduced to an inconsiderable amount, an attempt was made by the Council to supply their want of funds by an illegal exaction of tolls. For two years they were levied in the most offensive manner, and a heavy and unnecessary expense was thrown upon the merchants in disputing their claim. When its illegality was established, the council suffered their bailiff to go to prison as an insolvent debtor, in order to avoid the payment of costs.

The Commonalty at length became discontented with this management of their affairs, and they assembled on the charter day to assert their constitutional right of control. In proof of this right, they appealed to the ancient records of the town, and they called for the production of the chamberlain's accounts. The proceedings upon this occasion furnish a further illustration of the character of the council, and of the working of the constitution.

One of the burgesses proposed the appointment of a committee for the examination of the accounts. The mayor desired that no notice should be taken of a proposition coming from a commonalty burgess. The commonalty urged that large sums had been received by members of the corporation, without being accounted for. The council denied their right to interfere. The commonalty persisted: the council seceded from the hall. A resolution was then passed, that the refusal to lay before the burgesses a statement of the accounts, "creates a suspicion that the revenues have been applied to corrupt and illegal purposes," and a legal inquiry was threatened. This led to the appointment of a committee, composed of the mayor and justices, with other members of the select body, who were instructed "to examine and investigate the chamberlain's accounts since the restoration of the charter;" and three of the commonalty burgesses were invited to give their assistance in the investigation.

The committee met—the chamberlains refused to attend. Their refusal was officially reported by the town clerk; and the council, instead of supporting the committee, substituted two of the aldermen as auditors. From that day to the present the accounts have never been submitted either to the council or to the commonalty. Alderman Lawrence says that they

they were audited. He is contradicted both by his colleagues in the council, and by the town clerk.

A few buildings, with a few acres of adjoining land, are all that now remain of the town property, and the revenues are inconsiderable. Inconsiderable as they are, the greater part of one year's income has been recently lost by the default of the present chamberlain, who, without any authority, advanced the money to an alderman; the alderman became a bankrupt, and the chamberlain is unable to refund it. This, however, has not prevented his re-election to the office.

The only privilege which the Commonalty have been allowed to exercise without dispute is, that of voting for Members of Parliament. This privilege, which is freely exercised, is no less freely abused, and the abuse is encouraged by the magistrates and council, under the sanction of the vicar. Many of the freemen, it is said, are too poor to lose their day's work without remuneration, and thus the existing state of the corporation is made an excuse by the municipal authorities for a violation of the laws. As long as these poor freemen, in the illegal exercise of their electoral trust, receive encouragement from those by whom the law is administered, and are supported by the secret sanction of a minister appointed to instruct them in their duty, it is idle to expect that such practices can cease in the borough.

It appears, then, from this review of the existing Constitution, that the privileges of the franchise are enjoyed and abused by a corporation of burgesses not identified by numbers, property or residence, with the inhabitants of the borough; and that official power is vested in a council without any representative character, by whom the magistracy and other municipal officers are appointed in the spirit of party exclusion. From the former a considerable body of proprietors are excluded; and from the latter, all political opponents and dissenters, whatever may be their qualifications or station in life.

Under the management of this body the local interests of the town have been neglected, and its property has become the private property of aldermen.

The Documents which accompany this Report are — DOCUMENTS.

1. A copy of the Governing Charter;
2. A Schedule of the Corporation Property.

John Buckle.

REPORT

ON

THE CORPORATION OF NORWICH,

(NORFOLK.)

CONTENTS.

	Page
LIMITS	2459
MUNICIPAL CONSTITUTION	2459
Charters	2459
Statutes regulating Elections	2459
Title	2459
Officers named in the Charter	2459
—— not named in the Charter	2459
Freemen, number of	2460
Election of Officers;	
Mayor	2460
Aldermen	2460
Sheriffs	2460
Common Councilmen	2461
Recorder and Steward	2461
Town Clerk and Clerk of the Peace	2461
Speaker of the Common Council	2461
Chamberlain	2461
Tonnage Surveyor	2461
Foreign Receiver	2461
Coroner's Clerk	2461
Coroners	2461
Under Chamberlain	2461
Officers elected by the Assembly	2461
Election of Officers—*continued.*	
Commons' Beadle	2461
Officers appointed by the Committees	2461
—— by the Mayor	2461
—— by the Justices	2461
—— by the Mayor and Justices	2461
—— by the Aldermen	2461
—— by the Sheriffs	2462
—— by the Town Clerk	2462
Hall Keeper	2462
Registrar and Beadle of the Court of Conscience,	2462
Fines	2462
Freemen, how created	2462
Birth	2462
Apprenticeship	2462
Purchase	2462
Gift	2462
Woollen Manufacturers	2462
Fines and Fees on admission	2462
Ruling Body, its constitution and functions	2462
Committees	2463

CONTENTS—*continued.*

	Page
Committees:	
Chamberlain's Committee	2463
Hospital Committee	2463
City Committee	2463
Market Committee	2463
Auditors	2463
Tonnage Committee	2463
River and Street Committee	2463
Assembly Bond Committee	2463
Coal Committee	2463
City Library Committee	2463
Committee of Appeals	2463
Clavers	2463
Official functions: Privileges and Salaries	
Mayor	2463
Aldermen	2464
Sheriffs	2464
Common Councilmen	2464
Recorder	2464
Steward	2464
Town Clerk	2464
Chamberlain, &c.	2464
Coroners	2464
Under Chamberlain	2464
Collector of Butchery and Fish-market Rents	2465
Surveyor of Roads	2465
Clerk to the Cattle Market Committee	2465
Clerk of the Market	2465
Collector of the Cattle Market Dues	2465
Weigher of Hay	2465
Collector of Tonnage Dues	2465
Surveyor of Didlers	2465
Water Bailiff	2465
Clerk Assistant	2465
Hall Keeper	2465
Under-Sheriffs	2465
Sword Bearer	2465
Mace Bearers	2465
Marshalmen	2465
Charcoal-man and Beadle	2465
Collector of Births and Burials	2465
County Treasurer	2465
Chief Constable	2465
Inspector of Corn Returns	2465
Gaoler	2465
Matron of the Gaol	2465
Surgeon	2465
Chaplain	2465
Collector of Prices of Corn	2465
Serjeants at Mace	2465
Swanner	2465
Leet	2466
Land Steward	2466
Governor and Surgeon of the Hospitals	2466
Surveyor of Hospital-houses	2466
Registrar of the Court of Conscience	2466
Beadle	2466
Treasurer of Hospitals, Charities, &c.	2466
Master of Grammar School	2466
Sub-master	2466
Other Officers	2466
Freemen, privileges of	2466
JURISDICTION	2466
Courts:	
Quarter Sessions	2466
Juries	2467
Petty Sessions	2467
Guildhall Court	2467
Court of Pleas	2468
Court of Equity	2468
Court of Mayoralty	2468
Court of Requests	2468
Police	2469
Gaol	2469
Poor	2470
PATRONAGE	2470
Licenses of Public-houses	2470
PROPERTY and INCOME:	
Barnham Broom Estate	2471
Rents from property in the city	2472
Street Account	2472
Preacher's Account	2472
Market Rents	2472
Cattle Market Dues	2472
Debts	2473
Expenditure:	
Arrears	2473
Donations	2473
Pensions and Interest	2473
Payments	2473
Extraordinary Expenses	2473
Law Expenses	2474
Preacher's Account	2474
Street Account	2474
Barnham Broom Estate	2474
Foreign Receiver's Account	2474
Market Rents	2474
FUNDS, specifically appropriated:	
Haven and Pier Fund	2477
Tonnage Duties	2477
County Rate	2479
Expense of building the New Gaol	2479
Hospital Funds	2479
Accounts and Audit	2484
FACTS EVINCING THE EFFECTS OF THE CORPORATION SYSTEM	2484
Proceedings at the Local Elections	2484
Bribery at the Local Elections	2484
Subscriptions for the Local Elections	2484
Specific Acts of Bribery	2484
Hospital Notes	2485
Loans of Charity Money	2485
Bribery at Parliamentary Elections	2485
Connexion between the Municipal and General Elections	2486
Cooping	2486
Political influence in the admission of Freemen, and its effects on the distribution of the Franchise	2491
——— in appointing Committees of Management	2492
——— in the employment of Tradesmen	2493
——— in leasing a Farm	2493
——— in the choice of Judicial Functionaries and Juries	2493
——— in the appointment of Inferior Officers, and consequent inefficiency of the Police	2495
——— in the exercise of Patronage	2496
——— in the Administration of Charities	2496
——— in the former management of the Poor	2497
General Effects of the System on the State of the City, and on the Character of the Freemen	2498
Proposed Improvements	2499
Memorial	2499
Sheriff's Letter, and Remonstrance against the Municipal Inquiry	2499
POPULATION, &c.	2499
LOCAL ACTS	2500
DOCUMENTS	2501

CITY OF NORWICH.

I. LIMITS.

THE Limits of the corporation extend to the whole of the county of the city of Norwich, the boundaries of which are set out in a charter of Philip and Mary. All within the boundary line belongs to the county of the city, except the castle, which is part of the county of Norfolk. By charter 30 Hen. VIII. the precincts of the cathedral were added to the county of the city. The city is situate towards the eastern part of the county of the city, but at some distance from the boundary line. By the Boundary Act the castle, and all extra parochial places (if any) within the outer boundary line, are added to the city for the purpose of representation.

Charters.

The corporation claims a prescriptive origin. Henry the second granted the first charter in the fifth year of his reign, and thereby confirmed the liberties enjoyed in the reign of Stephen. By charter 5 Hen. IV. Norwich, which had previously been part of the county of Norfolk, was made a county of itself; but the castle and shire-house, situate within the bounds of the new county, were still to remain part of the county of Norfolk. This charter also changes the constitution of the corporation, by substituting a mayor and two sheriffs for four bailiffs. Charter 5 Hen. V. fixes the number of the aldermen and common council, and how many are to be elected by each ward of the city, and also the days for their election. It likewise regulates the election of the mayor. By 1 Edw. IV. the freemen residing in hamlets and suburbs within the county of the city are admitted to vote in the election of common councilmen, and are made elegible to all corporate offices. 17 Hen. VIII. provides for the election of the mayor and sheriffs, in the event of their death in the course of their year of office.

The governing charter is the 15th Car. II.

The following is the list of all the charters known to have been granted to the city; but there is reason to believe that others have formerly existed, which cannot now be found.

5 Hen. II.
5 Ric. I.
1 John, September 22d, 1199.
32 Hen. III.
39 Hen. III.
40 Hen. III.
Edw. I. 7th May 1285.
19 Edw. 1.
33 Edw. I.
19 Edw. III.
Ric. II. 15th February 1379.
5 Hen. IV.
2 Hen. V.
5 Hen. V.
30 Hen. VI.
1 Edw. IV.
Edw. IV. 1482.
19 Hen. VII.
7 Hen. VIII.
30 Hen. VIII.
Edward VI.
Phil. & Mary.
15 Car. II.
35 Car. II.
Jac. II.

The governing charter was one of those restored by King James the Second's proclamation, October 20th, 1688.

Statutes regulating Elections.

Some regulations respecting the election of corporate officers are contained in Statutes 9 Geo. I. c. 9, and 3 Geo. II. c. 8.

Title.

The Title of the corporation is Mayor, Sheriffs, Citizens and Commonalty of the city of Norwich.

Officers named in the Charters.

The following Officers of the corporation are named in the charter:—

Mayor.
24 Aldermen.
2 Sheriffs.
60 Common Councilmen.
Recorder.
Steward.
Town Clerk.

Not named.

Those not named in the Charter are,—

Speaker of the Common Council.
Clerk of the Peace.
Chamberlain.
Tonnage Surveyor.
Foreign Receiver.
Coroners.
Coroner's Clerk.
Under Chamberlain.
Collector of Butchery and Fish Market Rents.
Surveyor of Roads.
Clerk to Cattle Market Committee.
Clerk of the Market.
Collector of the Cattle Market dues.
Weigher of Hay.
Collector of Tonnage dues.
Surveyor of Didlers.
Water Bailiffs.
Clerk Assistant.
Hall-keeper.
Twenty-four Ward Constables.

NORWICH.

Crier of the Court.
Two Under Sheriffs.
Sword Bearer.
Two Mace Bearers.
Two Marshalmen.
Bellman and Beadle.
Charcoal-man and Beadle.
Collector of Births and Burials.
River Constable.
Storekeeper.
Commons Beadle.
Two Standard Bearers.
Four Whifflers.
Dragon Bearer and his Assistant.
Two Conductors of Fire-engines.
County Treasurer.
Chief Constable.
Inspector of Corn Returns.
Gaoler.
Keeper of House of Correction.
Matron.
Surgeon of the Gaol and House of Correction.
Chaplain of ditto.
Collector of the Prices of Corn.
Eleven Serjeants-at-Mace.
Swanner
Leet, consisting generally of four persons.
Constables at large (number indefinite)
Four Evening Patrole.
Four Night Patrole.
Land Steward.
Governor of the Great Hospital.
Master of Doughty's Hospital.
Surgeon of the two Hospitals.
Surveyor of Hospital Houses.
Registrar of the Court of Conscience.
Beadle of ditto.
Treasurer of Great Hospital.
Ditto - Doughty's Hospital.
Ditto - Brigg's Charity.
Ditto - Vere's ditto.
Ditto - Craske's ditto.
Ditto - Brickerdike's ditto.
Ditto - Pendleton's ditto.
Ditto - Mann's ditto.
Ditto - Sir Peter Seaman's ditto.
Ditto - Boys and Girls' Hospital.
Ditto - Court Money.
Ditto - Tonnage Duties.
Ditto - City Money.
Ditto - City Account, Street Account, Barnham Broom estate and Haven and Pier Money.
Ditto - Foreign Receiver's Account.
Ditto - Preacher's Account.
Ditto - Luke Fisher's Charity.
Master of the Grammar School.
Sub-Master of the Grammar School.

Several of these cannot perhaps be properly considered officers of the corporation; but we have returned the list as it was presented to us by the town clerk and other corporate officers.

Freemen, number of.

The number of Freemen registered in 1833, under the provisions of the Reform Act, resident within the county of the city was 2,300; the number of those residing out of the said county, but within seven miles, was 73. There are supposed to be about 311 unregistered resident freemen; and the number of freemen, whose residence is distant more than seven miles, is estimated at about 750; making in the whole 3,434. The greatest number of freemen who have voted at any corporate election is from 2,300 to 2,400. It is believed that 3,000 have voted at a parliamentary election.

Mayor, how elected.

The freemen who have been admitted twelve calendar months, and have been inhabitants of the county for six calendar months then last past, nominate two aldermen, one of whom is to be mayor for the year ensuing. The aldermen must have served the office of sheriff, and not have been mayor for three preceding years. They are returned to the court of aldermen, composed of the mayor, sheriffs and aldermen; and the major part of these choose one of them to be mayor for the ensuing year. The mayor presides, and is the returning officer at the nomination, and has a casting vote at the election. One sheriff and a majority of the aldermen must attend. The mayor must be resident within the county of the city. It has frequently happened that the same individual has served the office of mayor twice.

Aldermen, how elected.

The city is divided into four great wards, and each of these into three small wards. Two Aldermen are elected for life for each small ward. The freemen of the great ward within which the smaller ward is situate, who have been admitted for twelve calendar months, and resided in the great ward six months previously to the election, elect the aldermen. The mayor presides at the election. The aldermen must be freemen, and are required to reside within the county of the city. At the present time, however, three aldermen are non-resident. Two of them live within a short distance, and regularly attend to their corporation duties, but the third lives at a great distance from Norwich.

Sheriffs, how elected.

Two Sheriffs are chosen yearly; one, who is called the Court Sheriff, by the mayor, sheriffs and aldermen; and the other by the freemen. Both must be freemen, and are required by stat. 3 Geo. II. c. 8. to be resident. By stat. 9 Geo. I. c. 9. s. 3. the person who is elected court sheriff may be excused from serving the office, without the payment of any penalty, by making oath that he is not worth 2,000 *l.* after the payment of his debts; if he swear that he is not worth 3,000 *l.*, he will be excused from serving the office by paying 50 *l.* Any other person chosen to serve the office must pay 80 *l.* on refusing to serve. By section 4, no person worth 2,000 *l.* and upwards will be discharged from bearing the office for more than one year, without the consent of the mayor, sheriffs, citizens and commonalty in common council assembled. The sheriff chosen by the freemen must serve at all events. The mayor presides at the election of the freemen's sheriff. The court of aldermen generally elect a person who agrees in political sentiments with the majority of the body. The freemen who reside within the precincts of the cathedral have votes for the sheriff, though not for aldermen, as they are not within any ward.

The election of the Common Councilmen is regulated by stat. 3 Geo. II. c. 8. which enacts that for the future no more than three common councilmen for each great ward shall be elected by the freemen of such ward. The persons thus elected, who are generally called nominees, are empowered to elect the other members of the common council; each body for their own ward. The whole number of common councilmen is 60; 20 of whom are elected from one ward, 16 from another, and 12 each from the two remaining wards. The nominees are elected for each ward by the freemen who have been admitted twelve calendar months, and resident within the ward six months. The common councilmen hold their offices for one year, and must all reside within the ward for which they are chosen.

Common Councilmen, how elected.

The Recorder and the Steward are required to be barristers of five years standing. They are elected by the general assembly, consisting of the alderman's chamber, and the common council, as hereinafter explained. They hold their offices for life, but are removable by the corporation for misconduct. They have usually resided in Norwich. The present recorder is resident, and the steward non-resident.

Recorder and Steward, how elected.

The Town Clerk is elected for life by the same body, and by the same appointment is made Clerk of the Peace for life. He is always a resident solicitor.

Town Clerk and Clerk of the Peace, how elected.

The Speaker of the Common Council is elected by themselves from their own body for a year.

Speaker of the Common Council, how elected.

The Chamberlain, Tonnage Surveyor, Foreign Receiver and Coroner's Clerk are elected by the general assembly. The first and last named offices are always, and the two other generally, held by the same individual. These offices are now held for life; but that does not appear to have been the case formerly. The chamberlain is by virtue of his office treasurer of the City Account, Street Account, Barnham Broom Estate, and the Haven and Pier Money. He is always an attorney. It is not necessary that he should be a freeman. He cannot be a member of the assembly; and when a member is elected chamberlain he quits the assembly. He is removable by the corporation for misconduct.

Chamberlain, Tonnage Surveyor, Foreign Receiver, and Coroner's Clerk, how elected.

Two Coroners are elected annually by the assembly, and are removable by the corporation for misconduct.

Coroners, how elected.

The Under Chamberlain is elected by the assembly, but whether he holds his office during pleasure or for life, subject to be removed by the corporation for misconduct, seems uncertain.

Under Chamberlain, how elected.

The corporation in assembly elect 24 Ward Constables, who hold their offices for a year, but are removable for misconduct by the corporation. They also elect the following officers to hold their offices during pleasure: Collector of Butchery and Fish Market Rents, Clerk of the Market, Collector of Cattle Market Dues, Weigher of Hay, Collector of Tonnage Dues, Water Bailiff, Surgeon of the Great and Doughty's Hospitals, Treasurer of Tonnage Duties, Treasurer of the City Money, and Treasurer of the Foreign Receiver's Account.

Officers elected by the Assembly.

The Commons' Beadle is elected by the common council for a year, and is removable by them for misconduct.

Commons' Beadle, how elected.

The following officers are elected by the various committees, of whom we shall hereafter give an account, during the pleasure of the corporation, or of the committee by whom they are elected: the Surveyor of Roads, by the Tonnage Committee; the Surveyor of Didlers, by the River and Street Committee; Clerk to the Cattle Market Committee, by that committee; the Storekeeper, Standard Bearers, Whifflers, Dragon Bearer and Assistant, and Conductors of Fire Engines, by the City Committee; and Surveyor of the Hospital Houses, by the Hospital Committee.

Officers elected by Committees.

The mayor appoints the following officers for a year, who are removable by him for misconduct: Sword Bearer, who (*virtute officii*) holds the office of Treasurer of the Preacher's Account, Mace Bearer, Marshalmen, Bellman and Beadle, Charcoalman and Beadle, Collector of Births and Burials, River Constables, Swanner, the Leet, Evening and Night Patrole.

Officers appointed by the Mayor.

The justices at sessions elect the following officers during pleasure: County Treasurer, Chief Constable, Inspector of Corn Returns, Keeper and Matron of the house of correction, Surgeon and Chaplain of the gaol and house of correction, and Collector of the prices of corn.

Officers elected by the Justices.

The mayor and justices appoint the Constables at large for an indefinite period. They are removable by the mayor for misconduct.

Officers appointed by the Mayor and Justices.

The court of aldermen appoint the following officers, who hold their offices during pleasure: Land Steward, Governor of the Great Hospital, Master of Doughty's Hospital, Treasurers of the Great Hospital, Doughty's Hospital, the Boys' and Girls' Hospital, Brigg's, Vere's, Craske's, Bickerdike's, Pendleton's, Mann's and Sir Peter Seaman's charities, and of the court money. The treasurership of Brigg's charity is usually held by the senior alderman of Conisford ward, and that of Bickerdike's by the junior alderman of Mancroft ward. The senior alderman of Ber-street ward holds the office of treasurer of Luke Fisher's charity. The court of aldermen also elect the Master and Sub-master of the grammar school, who hold their offices during good behaviour, and are removable by the court of aldermen for misconduct.

Officers elected by the Aldermen.

Officers appointed by the Sheriffs.

The sheriffs appoint the Under-Sheriffs (who are always attornies) and the Serjeants at Mace for their year, and the Gaoler during pleasure.

Officers appointed by the Town Clerk.

The town clerk appoints the Clerk Assistant, and (as clerk of the peace) the Crier of the court. Both hold their offices during his pleasure.

Hall keeper, how appointed.

The chamberlain appoints the Hall Keeper to hold his office during pleasure.

Registrar and Beadle of the Court of Conscience, how elected.

The Registrar and Beadle of the Court of Conscience are elected for life by such of the aldermen and common council as qualify as commissioners.

Fines.

If any person elected to the office of a common councilman shall refuse to take the oath of office, the mayor, sheriffs, aldermen and common council are empowered by the charter to fine him in a sum not exceeding 10*l.* The charter also subjects any person, elected alderman who refuses to take the office upon himself, to a fine not exceeding 200*l.*; and any alderman who departs from the city and refuses to return within six months after a written request by the mayor to do so, to a fine not exceeding 100*l.* It has already been mentioned that the court sheriff may be excused on payment of a fine; but the corporation consider they have an option to accept it or not, and, in general, it is not accepted.

Freemen, how created.

The freedom of the city is acquired by birth, apprenticeship, purchase and gift. Woollen manufacturers are entitled by statute 9 Geo. I. c. 9, to be admitted to their freedom.

Birth.

All the sons of freemen born after the admission of their fathers are called denizens, and are entitled to be admitted to their freedom at the age of 21 years.

Apprenticeship.

All Apprentices to freemen for seven years, and articled clerks to attornies (being freemen) for five years, who have served their apprenticeship or clerkship within the county of the city, and are 21 years of age, are entitled to their freedom. A late bye-law requires that the indenture should be registered, within six months of its execution, in the chamberlain's office.

Purchase.

By the custom of the city, the corporation can compel all persons carrying on trade there, not being the sons of freemen, or having served their apprenticeship to freemen, to be admitted to their freedom, and to pay certain fines, which vary with respect to different trades. The persons so admitted are termed Foreigners. Doubts have been entertained respecting the sort of trade to which this custom applies. It is questionable whether it includes merchants and wholesale dealers, or is confined to shopkeepers and artificers.

Gift.

Freedom by Gift is seldom conferred, except on persons of rank and dignity, or individuals who have benefitted the city. The members for the city are always admitted to freedom by gift.

Woollen Manufacturers.

By stat. 9th Geo. I. c. 9, all manufacturers or makers of any sort of stuffs made of wool, or wherein there is any mixture of wool, and all makers of wool into yarn, who are not journeymen or servants for hire, master weavers, and master wool-combers, and persons dealing and trading in any such manufacture, and employing servants or journeymen, or having any interest, stock, share or partnership in any such manufacture, inhabiting or living in the city, &c. &c. are entitled to their freedom, on paying a sum not exceeding 5*l.*

Fines and Fees on admission.

Denizens and foreigners pay a fee of 7*s.* on admission. The fines on foreigners vary from 25*l.* to 3*l.* for different trades, according to a table of ancient date, founded on the authority of a bye-law. There does not appear to have been any variation for a century past. Those admitted by apprenticeship or purchase, pay 7*s.* 8*d.* fees and 13*s.* 4*d.* fine. The fine and fee, together with the stamps, are paid by the corporation on the admission of distinguished individuals by gift as honorary freemen.

Ruling Body, functions of.

The usual style of the Governing Body of the corporation is, The Assembly of Mayor, Sheriffs, Citizens and Commonalty of the city of Norwich in Common Council assembled. Previously to the year 1730, all the members of the assembly sat together. It is enacted by 3 Geo. II. c. 8. that no act, order or ordinance whatsoever shall be made or passed in common council or assembly of the representative body, without the assent of the mayor, sheriffs and aldermen present, or the major part of them, nor without the assent of the commons present, or the major part of them. From this time the mayor, aldermen and sheriffs have sat in one room, and are called the Court or Alderman's Chamber; and the common council, who sit in another room, are called the Common Council Chamber. It is necessary to constitute an assembly of the corporation, that the mayor, one sheriff and 12 aldermen should be present in one body, and 31 common councilmen in the other. Communications in writing are made from one body to the other; and when all the business of the assembly is gone through, both divisions meet in the common council room, and all the matters which have previously been separately agreed to are read over, and confirmed by the whole body, when they become part of the resolutions of the corporation. The mayor presides in the alderman's chamber, and the speaker of the commons in the other chamber. The mayor and speaker take part in the debates in their respective chambers. The town clerk records the proceedings of the alderman's court, and the chamberlain those of the commons. In the absence of the speaker a deputy is chosen *pro tempore*. All the members are regularly summoned to the meetings of the chambers.

The assembly has the regulation of all corporate matters, of the sale and leases of land, the making of bye-laws, elections of officers, &c. They have also a general superintendence

of

of the hospitals, fix the number of objects to be admitted, and possess a power of regulating the repairs, expenditure, &c. The hospital committee cannot incur any extraordinary expense without the sanction of the assembly. The assembly may dismiss servants, and stop repairs. The alderman's court has sometimes dismissed nurses from the hospitals. Any subject affecting the corporation may be brought forward in either chamber. General meetings are held quarterly, and the mayor may summon special meetings at his discretion, but is not compellable to do so. Sheriffs, aldermen or common councilmen absenting themselves from the quarterly meetings, are subject by 3 Geo. II. c. 8. to a penalty of 5*s.* and to 10*s.* if they depart without consent of the mayor. Occasionally, but not frequently, requisitions have been sent to the mayor by members of the chambers to call special meetings. On the occasion of a special meeting being called, the mayor invariably in his summons specifies the subject to be discussed, and no other matter can be brought before the assembly. Special meetings have frequently been called without a previous requisition to the mayor for that purpose. It did not appear that the mayor had ever refused to call such a meeting when a requisition had been presented to him. As both assemblies must separately agree to any particular measure previously to their meeting as one assembly, it would seem that nothing remained to be done on their so assembling but to see that no mistake had taken place in the proceedings. It appears, however, to be understood that any member has a right to address the body at the general meeting, though no resolution can be passed by the two bodies collectively; and, consequently, enjoys the power of sending back any question to the assemblies which have already been discussed and decided upon.

Committees.

Much of the business of the corporation is transacted in standing committees, of which there are 12 in number. Each committee consists of four aldermen and four common councilmen. Their titles and functions are as follows:

Chamberlain's Committee.

The Chamberlain's Committee receives fines of tradesmen at quarterly meetings, and recommends them to be sworn in freemen at the assembly.

Hospital Committee.

The Hospital Committee superintends the arrangements of the hospitals, subject to the assembly. They employ workmen, order repairs, recommend persons to the assembly as tenants of the hospital lands, and have the control of the expenditure, subject to the interference of the assembly. It is a general rule that no member of the committee can be employed for the hospitals as a workman, contractor or trader.

City Committee.

The City Committee superintends all the property belonging to the corporation. The chamberlain cannot pay any sum exceeding 5*l.* (except fixed annual payments) without an order of the committee. In general, all bills exceeding 40*s.* are signed by a majority of the committee. On occasions of extraordinary expense, the committee sometimes apply to the assembly.

Market Committee.

The Market Committee meets weekly on Saturdays, to receive the rents from the collectors of the markets, and to settle disputes between the collectors and the persons liable to pay market rents. They also appoint workmen for the markets yearly.

Auditors.

The Auditors audit yearly the accounts belonging to the hospital and city property.

Tonnage Committee.

The Tonnage Committee meet monthly to receive the tonnage duties of the collectors, and appoint workmen yearly.

River and Street Committee.

The River and Street Committee survey the river, give orders for cutting weeds, didling the river, and removing encroachments.

Assembly Bond Committee.

The Assembly Bond Committee have the management of certain sums bequeathed by different individuals, to be lent out on bonds. They receive applications from persons desirous of having these loans, and report thereon to the assembly. Sureties are required on the bonds, and if a surety leaves Norwich, a new one must be found, or the bond must be paid. They may direct the town clerk to sue on the bonds without a resolution of the assembly.

Coal Committee.

The Coal Committee appoint coal meters, and settle differences respecting coals.

City Library Committee.

The City Library Committee make yearly reports of the state and condition of the city library.

Committee of Appeals.

The Committee of Appeals against the river water assessments, discharge persons for over assessment, at their quarterly meetings.

Clavers.

The Clavers are two aldermen and two common councilmen, who have the custody of the city chest, which has two locks; each claver has a key. It contains nothing but the city seal, which is never taken out except by the direction of the assembly.

Mayor, functions of.

In addition to the functions already mentioned, the mayor presides at the court of mayoralty. He is a justice of the peace and presides at the quarter sessions. Neither the courts of the assembly, of mayoralty, or of the quarter sessions, can be held without his presence. He daily discharges the duties of a magistrate, either alone or with one or two other justices. He is also returning officer at the elections of his successor, the sheriffs and the common council. The aldermen have the privilege of nominating in rotation persons to fill up vacancies which occur in the Great Hospital, Doughty's and the Boys' and Girls' Hospital. The mayor has, in the year of his mayoralty, an additional turn, and the mayoress

NORWICH.

mayoress has also a turn. The corporation allow the mayor the sum of 300*l.*, on condition of his giving a feast. This is sometimes declined. The sum allowed is very inadequate to defray the expense of the feast, which has sometimes amounted to 1,000*l.* The expenses of serving the office, independent of the feast, are estimated at about 200*l.* or 250*l.* The office of mayor appears to be very laborious.

Aldermen, functions of.

Those Aldermen who have served the office of mayor are justices of the peace. Those who have not passed the chair are justices for their own wards only. Some doubts exist whether their magisterial authority extends to the great, or is confined to the little ward, and two very learned judges have expressed different opinions on the point. In fact they never act as justices at all. The aldermen have the distribution of small sums of money and some clothing in charity. Their other functions have been already mentioned.

Sheriffs, functions of.

The Sheriffs are the Returning Officers of members to serve in Parliament for the city. They perform the ordinary duties of sheriffs, and preside at a court called the Court of Guildhall. Certain fee-farm rents are yearly paid by the sheriffs to the Crown. These payments were formerly made by persons holding property under the Crown; but the particular parcels liable to these rents cannot now be ascertained, and the amount, 128*l.* 2*s.* 4*d.*, deducting land-tax, is paid by the sheriffs from their own pockets. They receive 50*l.* yearly from the corporation towards defraying it. A manor is held by the corporation by the tenure of paying herrings every year for the King's kitchen: this payment is made by the sheriffs. Serving the office costs each of them from 200*l.* to 400*l.* They have no emoluments but the ordinary sheriff's poundage.

Common Councilmen, functions of.

The functions of the Common Councilmen have been already stated.

Recorder, functions of.

The Recorder is not a member of the corporation. He is a justice of the quorum; and it is necessary that either he or the steward should always be present at the quarter sessions. He is counsel of the city, and attends on the corporation on all public occasions. His salary is 62*l.* 10*s.* a year, which is considered to be a compensation for a meadow formerly held by him, and given up to the corporation in 1675, when 10*l.* a year was paid to the recorder in lieu of it. The salary was raised to its present amount some years ago. The recorder is counsel in all prosecutions brought by the magistrates at the assizes.

Steward, functions of.

The Steward is also a quorum Justice of the Peace and sits at the quarter sessions, in the absence of the recorder. He is the assessor of the sheriffs in their court: his salary, which is also in lieu of a meadow given up in 1675 for 9*l.* 2*s.* a year, is 61*l.* 10*s.* annually. It has lately been arranged that a third sheriffs' court of trials shall be held every year. The sheriffs pay the recorder, out of their own pockets, five guineas for each of these courts.

Town Clerk, functions of.

The Town Clerk attends all the courts and assemblies of the corporation, and the principal committees, and records their proceedings. He is the attorney and solicitor of the corporation, and the steward of their manors. He has the custody of the corporation documents. His yearly salary is 20*l.* His emoluments, including those belonging to the office of town clerk, amount to about 600*l.* a year.

Chamberlain, functions of.

The Chamberlain receives all the rents and dues belonging to the corporation, except those received for charities, and makes all payments. He attends on the admission of freemen, and examines the evidence. The property of the corporation is under his care and superintendence. As Tonnage Surveyor he superintends the repairs of the Guildhall, the New Hall, and the bridges. As Foreign Receiver, he takes all the fines on admission of freemen, and fines for offences tried at the assizes and sessions. The office of Coroner's clerk is nominal. The chamberlain receives annually the sum of 31*l.* and pays it over to the widows of Cooke's hospital. He has a salary of 30*l.* a year as chamberlain, 20*l.* a year as tonnage surveyor, and 2*l.* 3*s.* 4*d.* as coroner's clerk. He attends the chamberlain's council and makes out their accounts. He also, as treasurer of the Yarmouth haven and pier money, attends the River and Street Committee, receives a yearly dividend at Yarmouth for the purposes which will be stated hereafter [*See* Haven and Pier Money, *post*, p. 2477.] from which fund he defrays the expenses of cleansing the river. He receives three guineas, and is paid his expenses, whenever he goes to Yarmouth to receive the haven and pier money; six guineas and a half for making out the accounts and copies for the commissioners, and 2*l.* for a duplicate of the accounts left at the town clerk's office. He gives security for the due performance of the duties of all his offices. His fees as chamberlain and foreign receiver amount to about 10*l.* or 15*l.* yearly. The average balance in the chamberlain's hands at the end of the year, for 21 years ending 1826, was 722*l.* 3*s.* 10½*d.* The present chamberlain stated that his balance in hand was generally about 300*l.* or 400*l.*, and his profit on it 6*l.* or 8*l.* a year.

Coroners, functions of.

The Coroners perform the ordinary duties of the office, and receive the usual allowance of 1*l.* on each inquest.

Under Chamberlain, functions of.

The Under Chamberlain summons persons to take up their freedom, and records their names. He also attends to the orders of the city committee. He attends the courts of mayoralty, held twice a week, for admitting denizens to their freedom, and receives the fees for which he accounts to the chamberlain. He summons and attends the chamberlain's court, and takes fees and fines of foreigners and apprentices, and accounts for them to the foreign receiver. He acts as the chamberlain's deputy in superintending repairs of buildings, &c. The emoluments of the present under chamberlain for all his offices are about 130*l.* a year.

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The Collector of the Butchery and Fish Market collects the rents and superintends the repairs of the markets. His accounts are inspected weekly by the committee; and the money received is accounted for to the chamberlain. This office, and that of clerk of the Cattle Market, have long been held by the under-chamberlain. — Collector of Butchery, and Fish Market Rents, functions of.

The Surveyor of Roads superintends the repairs of certain roads under the care of the corporation, as well as the buildings and repairs ordered by the tonnage committee; and attends on them generally. His salary is 40*l.* a year. This office is now held by the under-chamberlain. — Surveyor of Roads, functions of.

The Clerk to the Cattle Market Committee keeps their accounts, sees to repairs, &c., and receives of the collectors of the cattle market, and of the hay-weigher, the monies collected by them, and accounts for the same to the chamberlain. His salary is 10*l.* a year. — Clerk to the Cattle Market Committee, functions of.

The Clerk of the Market collects the market dues, and pays them over to the chamberlain, and regulates the market. He has a salary of 140*l.* a year. — Clerk of the Market, functions of.

The Collector of the Cattle Market Dues collects money for horses and carts sold in the market, and for stock standing in the pens, &c. He has a salary of 40*l.* a year, and is generally in arrear between 20*l.* and 40*l.*, which is accounted for by his being unable on some occasions to collect the tolls on the day when they become due. He gives sureties to the amount of 50*l.* — Collector of the Cattle Market Dues, functions of.

A steelyard has been erected by the corporation, by which hay is weighed between the buyer and seller. A small sum is paid for weighing the hay, which is collected by the weigher. He has a salary of 25 per cent. on the gross receipts, and a house to live in. The average annual receipts for the last four years have been 265*l.* 16*s.* 6*d.* The office is held by the under-chamberlain. It requires daily attendance. — Weigher of Hay, functions of.

The Collector of Tonnage Dues collects duties on goods brought up by vessels from Yarmouth to Norwich, received and applied under the Tonnage Act. He is allowed 12½ per cent. on the money collected, which amounts to about 120*l.* a year; and has a house to live in worth 20*l.* a year. — Collector of Tonnage Dues, functions of.

The Surveyor of Didlers superintends the persons employed in cleansing the river, and receives a salary of 24*s.* a week. — Surveyor of Didlers, functions of.

The duty of the Water Bailiff is to seize unlawful nets, and to issue warrants to search for dead bodies. He receives 13*s.* 4*d.* for taking up every body found drowned in the river. — Water Bailiff, functions of.

The Clerk Assistant is employed in the office of the town clerk, and receives 100*l.* a year and fees. — Clerk Assistant, functions of.

The Hall Keeper has a salary of 40*l.* a year. — Hall Keeper, functions of.

Besides the ordinary functions of the Under Sheriffs, one of them is the prothonotary of the Guildhall Court. They have no salary, but receive the usual fees for discharging the ordinary duties of their office. — Under Sheriffs, functions of.

The Sword Bearer exercises much more important functions than merely carrying a sword before the mayor. He attends on the mayor and magistrates daily, and acts as their clerk. The whole of his emoluments in salary and fees is about 480*l.* a year. — Sword Bearer, functions of.

The Mace Bearers attend the mayor daily, and serve all his summonses for assemblies and courts of mayoralty. Their salaries and fees amount to about 50*l.* a year each. — Mace Bearers, functions of.

The Marshalmen are also in daily attendance on the mayor, and serve his summonses as a magistrate, and execute warrants. They receive salaries of 16*l.* a year each. — Marshalmen, functions of

The Charcoalman and Beadle attends on the mayor in processions, and takes an account of all charcoal brought into the city. His salary is 10*l.* a year. — Charcoalman and Beadle, functions.

The Collector of Births and Burials makes a weekly return to the magistrates of births and burials, and his salary is 12*l.* 12*s.* a year. — Collector of Births and Burials, functions of.

The County Treasurer and Chief Constable receive salaries of 60*l.* a year each. — County Treasurer and Chief Constable, salaries of.

The Inspector of Corn Returns receives 19*s.* 2*d.* for each return, which is generally made weekly. He is paid by Government. — Inspector of Corn Returns, salary of.

The Gaoler receives 100*l.* a year as gaoler and keeper of the house of correction, and about 100*l.* a year fees. The salary of the Matron of the gaol is 25*l.* a year; the Surgeon's, 50*l.*; and the Chaplain's, 100*l.* — Gaoler and Matron, Surgeon and Chaplain, of the Gaol, salaries of.

The Collector of the Prices of Corn makes a return to the justices, to enable them to fix the assize of bread. — Collector of prices of Corn, functions of.

The Serjeants at Mace perform the duties belonging to sheriff's officers in counties, and receive the usual fees. — Serjeants-at-Mace, functions of.

The Swanner looks after the swans in the river belonging to the corporation. His yearly salary is two guineas. — Swanner, functions of.

The Leet, functions of.

The Leet perform the duties of inspectors of weights and measures, and receives fines on convictions of persons for using defective weights, &c.

Land Steward. functions of.

The Land Steward superintends the letting of all lands belonging to the corporation, repairs of farms, &c. His salary is 210*l.* a year for the hospital lands; he receives 30*s.* a year for Barnham Broom estate belonging to the corporation, and is paid by bills for other services.

Governors and Surgeon of the Hospitals, functions of.

The Governor of the Great Hospital receives for the superintendence of the same the sum of 360*l.* a year; has a house to live in, and is allowed his coals. He has also a meadow rent free, which would probably let for 25*l.* or 30*l.* a year. The Master of Doughty's Hospital has 26*l.* a year salary, a house, and coals. The Surgeon has 40*l.* a year for his attendance at both hospitals, and the supply of medicines.

Surveyor of Hospital Houses, functions of.

The Surveyor of Hospital Houses superintends the repairs of the buildings on the estates of the hospital in Norwich. His salary is 40*l.* a year.

Registrar of the Court of Conscience, functions of.

The Registrar of the Court of Conscience transacts business in his office every day, and issues summonses for appearance before the commissioners, whose court he attends once a week; he records their proceedings, and sees that their orders are observed. He has no salary, but receives the fees allowed by the Act by which the court is constituted. We are not able to state the amount of his receipts. He said that he had kept no account, but that he thought his emoluments were less than 400*l.* a year.

Beadle of the Court of Conscience, functions of.

The Beadle of this Court executes its process, and receives the fees allowed by the Act.

Treasurers of Hospitals, Charities, &c. functions of.

The Functions of the Treasurers of the Hospitals, Charities, &c. are indicated by their official designations. With one exception, they receive no salaries, but have the use of the balances in their hands. The treasurer of the foreign receiver's account is allowed 6*d.* in the pound on all monies received.

Master of Grammar School, functions of.

The Master of the Grammar School's duty is to teach the boys on the foundation. He has a salary of 80*l.* a year, a house, and the privilege of taking other scholars.

Sub-Master of Grammar School, functions of.

The Sub-Master assists the head-master, and receives 10*l.* a year.

Other Officers, functions of.

The functions of the remaining officers of the corporation may be understood from their titles. They receive the following salaries and emoluments: the Constables receive the usual fees paid to constables; the Crier 10*s.* a year salary, and the usual fees at sessions and the sheriff's court; the Bellman and Beadle, 13*s.* 4*d.*, and fees for crying; the River Constable (a nominal officer), 5*l.* a year; the Storekeeper, 5*l.* a year; the Commons' Beadle, ten guineas yearly; the Standard Bearers, one guinea each; the Whifflers (who attend processions with swords) have shoes and stockings given them, and receive 10*s.* 6*d.* a year each; the Dragon Bearer and his assistant, 17*s.* 6*d.*; the Conductors of Fire Engines, 10*l.* 10*s*; the Evening Patrole 1*s.* 6*d.* and the Night Patrole 2*s.* 6*d.* a night.

Freemen, privileges of.

The Freemen have the privilege of electing Members of Parliament for the city, subject to the restrictions of the Reform Act. They are free from corporation tolls, &c. throughout the King's dominions; but it does not appear that the privilege is ever claimed in Norwich or elsewhere. By the charter of Philip and Mary, no freeman is to be a partner or factor with any person not a freeman in buying, selling, &c. any woollen cloths called stuffs, stockings or any other commodities or merchandize whatsoever, made or worked in the city or suburbs thereof. No person is permitted to exercise any trade in the city, who is not a freeman, for a longer period than six months, without taking up his freedom. The freemen receive annually 1*s.* each for the rent of the Town Close estate, which was formerly a common. A lease for fifty years of this property expired last Michaelmas, and it has been let in lots by auction for 409*l* 2*s.* 6*d.* a year. The freemen are considered to have an exclusive right to certain loans from the corporation, called the City Money; but it seems that these advances have been sometimes made without inquiring whether the borrowers were freemen or not. Owing to an increase of the number of freemen, the rent of the Town Close has of late years been insufficient for the payment of 1*s.* each to the freemen, and the corporation have supplied the deficiency from their general funds. This money is paid as well to non-resident freemen as to resident, provided they apply for it in person.

Jurisdiction.

The county of the city of Norwich is a county of itself, and the jurisdiction of the corporation is exclusive.

Courts. Quarter Session.

The magistrates of the Court of Quarter Sessions are, the mayor, recorder, steward, and such of the aldermen as have served the office of mayor. The mayor, either the recorder or steward, and one alderman, must always be present. By the charter Car. II. they have the power of trying capital offences, but they never exercise it. The recorder almost always attends. Former recorders have not attended so regularly. It is enacted by stat. 1 & 2 Will IV. c. li., that appeals against orders for the removal of poor persons from any parish within the county of the city, to any parish not being within the same, shall be tried in the county of Norfolk. From four to six magistrates generally attend these sessions. Costs are taxed by the clerk of the peace. It is usual to keep the sessions alive by adjournments till nearly the time of the next sessions. Counsel attend. We insert a return of the felonies

felonies, misdemeanors and appeals tried at these sessions in the years 1830, 1831 and 1832.

YEARS.	FELONIES. Number of Persons committed for Trial for Felony.	Number convicted.	Number acquitted.	Number discharged for want of Prosecution.	Number against whom no Bill was found.	Number transported.	Expenses allowed.	Misdemeanors not Assaults. Number of Persons committed for Trial for Misdemeanors not being common Assaults.	Number convicted.	Expenses allowed.	Misdemeanors being Assaults. Number of Persons committed for Misdemeanors being Assaults.	Number convicted.	Number acquitted.	Expenses allowed.	Appeals. Appeals entered.	Appeals heard.
							£. s. d.			£. s. d.				£. s. d.		
1830	59	40	19	4	3	18	108 7 –	3	3	3 – – on two prosecutions.	3	2	1	6 14 – on two cases.	4	1
1831	70	51	19	8	2	18	87 19 6	2	2	1 15 – on two cases.	–	–	–	– –	1	1
1832	52	48	4	–	–	16	56 12 6	2	1	1 15 – on both cases.	2	2	–	3 10 – on two cases.	2	2

A return is made to the chief constable, by the petty constable in each ward, of all persons qualified to serve on Juries. These returns (which contain several hundred names) are handed over to the town clerk. He makes two copies; retains one in his office, and delivers the other to the under-sheriffs. From these lists the sheriffs select the grand, and the under-sheriffs the petty jury. It is usual for the sheriffs to give a dinner to the grand jurymen, and they are generally selected from their personal and political friends. Some persons of opposite political sentiments are usually included. An alderman stated that there were generally two-thirds of the political friends of the sheriff on the jury, and one-third of his political opponents; and a gentleman who had been under-sheriff ten or eleven times, told us that he had known all but one of the grand jury selected from the same political party; and he assigned this mode of appointing juries as a reason why prosecutions had sometimes been removed from the sessions to the assizes. The same individual complained of the list having been made out very carelessly and inaccurately. An equal number of petty jurors is usually taken from each great ward; and the same individuals are not in general summoned twice in the same year. The petty juries, and the *nisi prius* juries at the assizes are generally taken from the middle class of shopkeepers. There does not appear to be any political bias influencing the under-sheriffs in the selection of petty juries, but it is evident that if they were disposed to act partially there is nothing to prevent it. Juries.

There are no regular periodical Petty Sessions. The mayor is accustomed to sit every day as a magistrate, generally with one, and frequently more than one alderman. In the absence of the mayor, his place is supplied by an alderman. Petty sessions are held from time to time for particular purposes. Petty Sessions.

The Guildhall or Sheriffs' Court is held before the sheriffs, or one of them, the steward acting as their assessor. It is a court of record, in which all personal and mixed actions to any amount are tried. The attornies of the court are admitted before the mayor and aldermen. The court sits every Wednesday and Saturday, with the exception of some holidays; and the proceedings are from one court-day to the next. The practice and pleadings are the same as in the superior courts. One of the under-sheriffs acts as prothonotary of the court, while the other attends to the business of the superior courts. Attornies of the superior courts, who have served articles to attornies of this court, are admissible to practise as attornies. The number is unlimited. The business of the court has increased of late years. Courts for the trial of issues were formerly held only once a year, then twice, and they are now held three times a year. The steward is present on these occasions. An action commenced after one issue court may generally be tried at the next. The new practice and pleadings of the superior courts have been adopted. There is a table of fees in the court. Some attornies, who have not served articles to attornies of the court, have been admitted to practise, but it is understood that this is not to be allowed in future. The attornies have successfully adopted some regulations among themselves to prevent the removal of causes. A defendant may be held to bail without an affidavit of debt having been filed with any public officer before the arrest. The rule now is, that the affidavit shall be filed within two days after the arrest; formerly it was two or three court-days. Collusive arrests, for the purpose of the defendants being discharged at the circuit of the commissioners of the Insolvent Debtors' Court, are frequently made. There is no regular depository for the records of the Guildhall Court.

NORWICH.

the court, which lie scattered about in the offices of various persons who have been under-sheriffs. It seems to be a very useful court, and if the measure of establishing local courts generally, which is to be submitted to Parliament, should fail, we think it very desirable that the jurisdiction of this court should be extended to the adjacent parts of the county of Norfolk. The juries are selected by the sheriffs. Complaints were made to us of this mode of selection. A case was mentioned of an action of trespass, in which the right to the freehold came in question. The steward summed up the jury in favour of the plaintiff on a point of law, and the trespass was admitted. The jury, however, ten of whom were common councilmen, found a verdict for the defendant; who at the time held the office of beadle of the common council. The number of actions, from 12th February 1830 to 12th February 1831, was 249. It is believed that the business of the court has increased since that period.

Court of Pleas.

A Court of Pleas is held before the mayor and sheriffs, or one of them. Real actions were formerly tried at this court. The business is now confined to recoveries, and proceedings in the nature of fines. As the Act lately passed for abolishing fines and recoveries will put an end to the court, it is unnecessary to describe the proceedings.

Court of Equity.

A Court of Equity by prescription is recognized and confirmed by the charter of Philip & Mary. It was held before three justices, the mayor being one. It is now fallen into disuse.

Court of Mayoralty.

The Court of Mayoralty seems to be only another designation of the same body which has been already mentioned as the court or alderman's chamber. As, however, it appears to be usually called the Court of Mayoralty when it exercises its own separate powers, it may not be inconvenient to state its functions in this place. This court admits denizens to their freedom, and elects one of the sheriffs, as has been already shewn. They may make orders for the payment of particular sums of money not exceeding 5 *l.* The sheriff forms no part of this body in its separate capacity, except as to the election of the mayor and sheriffs. The court of mayoralty has, with some exceptions, appointed the master and sub-master of the grammar school. These appointments have been given, some by charters and others by the will of different donors. The Court of Mayoralty has the appointment of the inmates of the Great Hospital founded by charter Edw. VI. They are empowered by the will of Archbishop Parker to recommend six individuals to the master and fellows of Corpus Christi College, Cambridge, for what are called Norwich scholarships in that college. They are trustees under a will of Doughty's charity. They appoint the inmates in all the four hospitals, the masters of the hospitals, and the land steward. They put 24 poor boys on the foundation of the free school. The curacy of the parish of St. Helen's is in their gift. The appointment of officers must take place in a full court, when the presence of the mayor and a majority of the aldermen is required. All other business may be transacted at an ordinary court, at which two members only need be present. The aldermen appoint the inmates of the hospitals in turn. The order for the admission of an inmate is always signed by the town clerk as the officer of the court. Some of the leases of the charity lands are made by the authority of this court alone. Five or six aldermen are generally present at an ordinary court. The mayor and aldermen take their oaths of office in this court; and the mayor must be present at the swearing in of an alderman. The mayor may be sworn in at an ordinary court. All the aldermen are summoned when a court is held for the election of officers. The mayor may, under his hand and seal, appoint an alderman to act as his deputy in this court.

Court of Requests.

A Court of Requests for the recovery of small debts under 40 *s.* was created by statute 12 & 13 Will. III. The mayor, aldermen and common councilmen, who possess real estate of 20 *l.* a year, or personal estate of 500 *l.* may act as commissioners. The mayor, or one of the aldermen and two common councilmen, are a *quorum*. The jurisdiction of the court extends to the whole county of the city, except the precincts of the cathedral, and is exclusive. The court sits every Monday, and sometimes on other days, at the discretion of the commissioners. The proceedings are by summons and precept, and contempt or *capias* warrant before verdict; after verdict and disobedience of the order of the court for payment, a warrant issues against the goods; and if there are not any, or not sufficient goods, a warrant to commit the defendant to prison, unless the debt and costs be immediately paid. The average amount of costs, when the case is settled before judgment, is 10 *d.*; on judgment by default, when the debt is acknowledged, about 1 *s.* 3 *d.*; and on judgment after verdict, about 2 *s.* 3 *d.* There is a regular table of costs. From Feb. 6th, 1832, to Jan. 28th, 1833, Forty-four courts were held. The average number of commissioners present at each court was six. The number of actions was 3,855; of acknowledgments, 1,117; of orders made, 2,507; of cases heard 1,390; of warrants of contempt, 77; executions against the goods, 670; executions against the person, 649. Of these persons 80 went to prison, 29 settled with their creditors, or paid the money after imprisonment, and three were discharged by the Insolvent Debtors' Court. The jurisdiction of the court does not extend to debt for rent upon a lease, any real contract, or to debts arising from testament, matrimony, or any thing belonging to the ecclesiastical court. Both the plaintiff and the defendant must reside within the jurisdiction of the court. The court frequently orders the debt to be paid by instalments. These payments are made at the registrar's office, who sometimes keeps an account of them, and receives 1 *d.* for every shilling, when the debt is paid over to the plaintiffs. Complaints were made that the commissioners on some occasions acted partially, and favoured their political friends; and the registrar stated that on two occasions, when there was a difference of opinion among the commissioners, all who were of the same political sentiments voted on one side, and of all opposite politics on the other.

The

The Police establishment consists of the chief constable, and two petty constables for each small ward, making twenty-four in the whole; the evening and night patrole; the constables at large, the leet, the bell-man and charcoal-man; a superintendent and thirty-seven watchmen appointed under the Paving Act. They all act throughout the city, and are generally continued in office from year to year. The whole constabulary force is under the command of the chief constable. The mayor's officers, who are employed every day in attending on the mayor and justices, are generally changed on the appointment of a new mayor, when their political sentiments are opposed to those of the party to which he belongs. This practice is said to have crept in of late years. The police in the city appears to us to be inefficient; but we defer making any further remarks at present, as this subject will be more conveniently considered, in conjunction with several others, in another part of our Report. Police.

The Gaol contains eight yards, eight day-rooms, and sixty-nine sleeping cells. The greatest number of prisoners in the gaol at one time, in the year 1832, was fifty. The total number of persons committed in the following years was— Gaol.

1830	300
1831	294
1832	307

Sixteen were re-committed in the last year; there were thirty-one cases of sickness out of 307 prisoners, but no death. The weekly cost of the food of each prisoner is about 2*s.* 6*d.* The number of prisoners committed for trial and of debtors for the same three years, was—

FOR TRIAL.

	1830.	1831.	1832.
Males	71	60	59
Females	14	11	12
Total	85	71	71

DEBTORS.

	1830.	1831.	1832.
Males	178	196	213
Females	1	3	4
Total	179	199	217*

The house of correction, which forms part of the same prison, contains six yards, six day rooms, and forty-five sleeping cells. The greatest number of prisoners at one time in 1832 was forty-nine. The number committed in the following years was—

In 1830	938	of whom 90	were sentenced to hard labour.
1831	653	131	„
1832	602	89	„

There were eighty-one cases of sickness in 1832, but no deaths.

The

* These numbers are taken from a return made to us by the gaoler at Norwich. We add another account, which has been sent since by the town clerk. There is only a difference of four in the sum total of prisoners for the three years.

FOR TRIAL.

	1830.	1831.	1832.
Males	65	75	53
Females	12	15	11
Total	77	90	64

NORWICH.

The sheriffs (who declined giving evidence before us themselves) ordered the gaoler to refuse to be examined concerning the gaol. He had, however, previously furnished us with the gaol return; and although he felt himself bound to obey the commands of the sheriffs as to the gaol, he very willingly imparted to us all the information we required respecting the house of correction, over which the sheriffs have no control, and to which he thought their injunction of silence could not apply. The mayor and one of the aldermen accompanied us over the gaol and house of correction.

The mayor, recorder and four other justices are the visiting magistrates of the prison. They hold a meeting at the gaol regularly every month, see each prisoner singly, and attend to all complaints. They go to the gaol occasionally at other times. The gaoler keeps a book for the inspection of the visiting magistrates, and makes a report at every meeting. Books are also kept by the chaplain and surgeon, and examined by the magistrates. The most frequent commitments are for quarrels in public houses. A visiting justice said, that he thought crime was rather diminishing. The same gentleman observed, that while Norwich, with a population of 60,000, had in its gaol and house of correction fifty-one prisoners, the gaol of Manchester, the population of which town is four times as large as that of Norwich, during the same period, contained 471 prisoners, being more than nine times the number. The chaplain performs divine service twice a day on Sundays; attends every Friday morning to see the prisoners who have been committed during the week, and frequently on other occasions. The reverend gentleman appears to perform his duty in an exemplary manner. He thinks it very desirable that conversation between the prisoners should be as much as possible restrained, as it, in a very great degree, prevents them from being benefited by his instructions.

Poor.

The management of the Poor is in the hands of the court of guardians. This court was formerly composed of the members of the court of aldermen, the sheriffs, recorder, steward and thirty-two other persons chosen by the assembly. By Act of Parliament, the constitution of this body was changed, and twenty guardians were elected by the corporation, and forty-eight by the rate-payers. By the authority of a subsequent Act, the whole court of guardians is now elected by the rate-payers, and the corporation have no concern in the management of the poor.

Patronage.

The patronage of the corporation is chiefly in the hands of the aldermen, but belongs in part to the assembly. Most of it has been already mentioned; but it may be desirable to take a general view of the whole in this place. The aldermen have the nomination of persons admitted to the Great Hospital, consisting at present of 85 men, 81 women, and 10 nurses; except that six vacancies are filled up as follows: four by the assembly, one by the parish of Trowse, and one by the mayoress. They have the nomination of 28 men and 9 women, and one nurse to Doughty's Hospital; also of 60 boys and 50 girls to the boys and girls hospital schools, except five, who are nominated by the parishes. They have the nomination of six persons to Pye's almshouses, which is however exercised by the three senior aldermen; that of the corporate officers elected by them, of which a list is given at p. of the Report, of six scholarships in Corpus Christi College, Cambridge, and of 24 scholars in the free school. They have also the distribution of the funds and the nomination of the inmates of the following charities: Vere's, about 3*l.* 10*s.* a year, appropriated to binding out apprentices; Brigg's, the income of 200*l.* applied in binding out boys, and for the relief of the poor of St. Peter, Southgate; Craske's, the income of an estate in St. John's Sepulchre, about 5*l.* 10*s.*, part to the minister, and the residue to the poor of the parish; Bickerdike's, the dividends of 420*l.* three and a half per cents. applied in binding out apprentices; Pendleton's, the income of estates in St. Saviour and St. Stephen, to be expended in clothing poor people and binding out poor boys; Mann's, about 3*l.* 5*s.* applied in putting boys to school; Sir Peter Seaman's, the income of estates in St. Swithin and St. Julian, applied in binding out boys; Luke Fisher's, the income of a farm, about 100*l.* to be distributed in coals, coats and gowns for the poor of St. John Sepulchre; Warne's, the income of an estate in Hantbois, distributed in clothes, coals and money, to the poor of St. Peter per Mountergate; Cooke's, the income of an estate at Horsted, about 40*l.* a year, distributed in coals to poor persons; and Linsey's, about 1*l.* 2*s.* to be distributed in coals. They have also the selection of the persons to whom the court money is to be advanced; and the distribution of about 32*l.* a year among the poor inhabitants of their respective wards, which sum is the interest of the money received on the sale of an estate in Smithfield. The aldermen also have the presentation to the following ecclesiastical preferments: the rectory of Carleton, St. Mary and St. Peter, worth about 100*l.* a year; the vicarage of South Waltham, St. Mary, about 200*l.* a year; the vicarage of Calthorpe, about 150*l.*; the vicarage of Shropham, about 300*l.*; the perpetual curacy of Cringleford, 300*l.*; that of Mundham and Seething, 300*l.*; the perpetual curacy of Costessey, 100*l.*; that of Repps, with Bastwick, 100*l.*; the curacy of St. Etheldred, 30*l.*; that of St. Helen, 200*l.* and a dwelling house; and that of Thurlton with Hardley, 370*l.* a year.

Licenses of Public Houses.

The number of public houses in Norwich is 501, of which 31 are the property of different magistrates in the city. Charges of having acted partially in licensing public houses were brought against the magistrates, but there was no satisfactory evidence in support of them; and it does not appear to us that they exercise this duty unfairly. Some years ago a *qui tam* action was brought against a magistrate, who was a brewer, for acting in granting licenses; and a verdict was found against him.

Property and Income.

On the 4th of June 1829, the chamberlain, in pursuance of an order of the city committee, reported the annual income of the corporation as follows:

	£.	s.	d.
City Rents due at Lady-day	390	1	7
Ditto - due at Michaelmas	741	10	9
Rents from the Street Account (deducting expenses)	53	15	–
Rent of Barnham Broom estate (deducting outgoings)	130	17	10
TOTAL RENTS of Estates £.	1,316	5	2
Market Rents, a year to April 1829, deducting expenditure	448	14	5
Cattle Market - ditto	195	12	6
Preacher's Account, on the average, about	40	–	–
Foreign Receiver's Account, on an average of four years from 1822 to 1826	190	–	–
£.	2,190	12	1

The following sums are annually payable out of the rent of this estate:—

	£.	s.	d.
To the Boy's Hospital	12	16	8
To the Girl's ditto	8	3	4
To the Mayor's Hanaper	3	10	–
To bind out apprentices in Colegate ward	3	10	–
£.	28	–	–

During this year two years' poor rate and county rate were paid, which increased the expenditure about 100*l.*

The receipts on this account are principally for the fines paid by foreigners on their admission to the freedom of the city. During the last three years scarcely any foreigners have been summoned to take up their freedom. The receipts have consequently been very trifling.

The income of the corporation has somewhat increased since this report; and the different items have varied considerably, as the following account of the present state of the revenue will show:

	£.	s.	d.
Rents from Real Estates	1,238	19	4
„ Street Account	65	–	–
Average Receipts from Preacher's Accounts for five years	70	14	10
Average of Market Rents, including the Butchery and Fishery for five years, deducting expenses	643	16	11
Average of Cattle Market Rents for five years, deducting expenses	155	6	1
Average Receipts from Barnham Broom estate for eight years	54	10	8
Average of Foreign Receiver's Account for the last six and a half years	101	9	–
£.	2,329	16	10

Barnham Broom Estate.

The manor of Barnham Broom was settled on the corporation by trustees appointed by the will of John Tyzzey; who conveyed it to feoffees in trust for the chamberlain to receive the rents and profits to relieve the poor inhabitants of Norwich from the payment of taxes and talliages to the king; and also to pray for the soul of the said Tyzzey. This devise applies to the manor of Barnham Broom; but other lands have been since purchased by the corporation; and the whole is now called the Barnham Broom estate, or the Barnham Hawkins' estate. The sums charged on this estate (as stated above) appear from a report of the city committee to the general assembly, on the 3d of May 1735, to be derived from a bequest of the sum of 400*l.* by Richard Ireland, clerk to the corporation; and a bequest of the same amount by Thomas Blofield to them; both which sums were agreed to be secured on the Barnham Broom estate.

The committee reported that there was then due—

	£.	s.	d.
To the Boy's Hospital at Lady-day then last	221	11	5½
To the Girl's Hospital	146	15	7¾
To the Hamper	66	19	10¼
And for binding seven boys apprentices, at 3*l.* 10*s.* each	24	10	–

A report of the city committee to the assembly, dated 15th June 1829, states these facts, and adds, that the first three sums have been regularly paid to the several treasurers, and that a much greater sum than 3*l.* 10*s.* has been annually applied in binding apprentices in Colegate

NORWICH.

Colegate ward; and that the residue of the rents of the estate has been appropriated by the chamberlain to the general purposes of the corporation. The rent of the Barnham Broom estate is now 145*l.*, out of which are paid the charges stated above, and land-tax, repairs, &c. leaving the aforesaid annual balance of 54*l.* 10*s.* 8*d.* The amount of fines and quit-rents received by the town clerk as steward of the manor, since his appointment in 1826, is 28*l.* 16*s.* 6*d.*

Rents from Property in the City.

The Rents, which form the first item in the above account of the corporation property are derived from houses and land within the city; the far greater part of which is held on long building and repairing leases, with small reserved rents, and frequently a fine has been paid by the lessee at the commencement of the lease. On some occasions a former lease has been surrendered on the granting of a new one. A small part of this property is let for short terms at a rack-rent. The property is let under the valuation of the city surveyor.

Street Account.

The Street Account appears to be so called from the purpose to which it was formerly applied. In the year 1527 four houses were given to the corporation for the purpose of providing carts for cleansing the streets. This seems to be the origin of the street account. Previous to the passing of the Act for paving the city, the street account was chiefly applied to pay for sweeping the markets and open places in the city, repairing the pavement without St. Stephen's gate, removing ice in public places, and for paving the open places. The origin of the fund (except as mentioned above) did not appear to be known; but the town clerk said he had always understood that the fund had been appropriated to the purposes just stated, and that the balance after defraying these expenses had been carried to the general account of the corporation. Since the passing of the Paving Act, 90*l.* a year have been paid by the corporation from the tonnage dues, and 10*l.* a year from the haven and pier account, for the purposes of the Act; and nothing is paid in furtherance of it from the street account, which is now only nominally distinguished from the other rents of the corporation. The whole of the property is let on long leases, except one piece of ground which is leased for seven years.

Preacher's Account.

The receipts on the Preacher's Account, consist of rents of houses and land; part of which is let to the justices of the city, and is the site of the new gaol, &c. This property appears to have been devised to the corporation by Sir J. Pittus for the purpose of paying for certain sermons to be preached, and the remainder to go to the general fund of the corporation. The corporation pay for all sermons preached in the cathedral, except those by the dignitaries of the church. The justices hold the site of the gaol for 500 years from Lady-day 1823; the rest of the property is let for 21 years.

Market Rents.

The Market Rents are received for moveable stalls in the market, and for the liberty of placing baskets called peds there; also for permanent stalls in the fish and butchery markets; and for the use of the hay market. These rents are collected by the clerk of the market. The soil of this market was granted to the corporation by charter Hen. IV.; and charter Edw. IV. prohibits markets elsewhere. The right of the corporation to demand stallage in the market was decided by the Court of Common Pleas, in the case of the Mayor, &c. of Norwich *v.* Swan, W. Bla. Rep. 1116. The amount of the dues to be paid is settled from time to time by the market committee, according to their own discretion. It was stated, that no payments had been made for placing peds on the ground in the market till the year 1829. The evidence, however, was not quite consistent on this point; and it seems that payments were at least sometimes made for peds containing fruit and vegetables, though not for those in which meat, fowls, eggs, &c. were brought into the market. The state of the market was said to have been disorderly before this change.

The rents of the fixed stalls (which are in the upper market) are paid weekly. The under chamberlain told us, that he had held his office about nine years and a half, and that shortly after his coming into office, the rents of the stalls had been raised 20 per cent, or rather more. Another increase appears to be expected.

The account of the receipts, disbursements and balance of the market for the last twenty years and a half stands thus:—

	£.	s.	d.
Total receipts - - - - - - - -	20,306	11	9½
Disbursements - - - - - - - -	7,641	10	11½
20½ years net receipts - - - - - -	12,665	–	9½
Yearly average - - - - - - -	617	16	1½

Cattle Market Dues.

The Dues on the Cattle Market are, 8*d.* a score for sheep and pigs; for a horse, if tied to a post, 2*d.*, if sold by auction, 2*s.*; the same sum on the sale of a cart or gig by auction; and 1*s.* on the sale of harness, unless it belongs to the carriage.

We have no further remarks to make respecting the foreign receiver's account.

The

The corporation owe 1,450 *l.* to Doughty's hospital, and 350 *l.* to the Girls' hospital; the interest of which debt is regularly paid. We could gain no information as to the time when these debts were incurred. (*See* "Tonnage Duties.")

The Expenditure of the corporation in the year ending April 5, 1833, was 2,899 *l.* 2 *s.* 9 *d.*, and was made up of the following items:— Expenditure.

	£.	s.	d.
Fees and Salaries	359	7	4
Donations	135	–	8
Pensions, Annuities and Interest Money	117	7	6
Taxes and Quit Rents	51	8	4
Payments by order of Assembly and Court	1,357	–	7
——— by order of Committees	857	17	1
——— without order	21	1	3
£.	2,899	2	9

	£.	s.	d.
Arrears of Rent due at the end of the year	528	–	1
Balance in the Chamberlain's hands	926	14	9
£.	1,454	14	10
Deduct Balance in the hands of the Chamberlain at the beginning of the year	201	5	–
	1,253	9	10
From this sum must be deducted the amount of the purchase money arising from the Old Bridewell (which was sold by the corporation when a new gaol and house of correction were built) received from the Norfolk and Norwich Joint Stock Banking Company, with interest	1,218	16	4
Balance £.	34	13	6

This last-mentioned sum therefore appears to be the excess of the regular yearly income above the expenditure of the year. It is not, however, quite correct; as some few of the rents have not been collected at all within the year. In one case, the arrears of nine years are due; in another, of 25; and in a third, of 47. It was proved before us, that arrears of rent of three tenements of 10 *d.* a year, which amounted, in 1820, to 3 *l.* 7 *s.* 1 *d.*; and also arrears on other premises of 1 *s.* 8 *d.* a year, amounting in the same year to 2 *l.* 18 *s.* 4 *d.* had never been paid, nor had any subsequent payments of these rents been made, though the cases had been brought before the court of aldermen. It must be observed, that the corporation have this year paid a debt of 515 *l.* Supposing, therefore, the income and expenditure of the year to be an average, they appear to have an excess of income sufficient to liquidate their debts by full 500 *l.* a year. The sum received for this year, however, exceeds the average amount of income returned to us (as stated above) by the sum of 76 *l.* 9 *s.* 4 *d.* It will be seen presently that the sum of 3,700 *l.* has been from time to time advanced for the general purposes of the corporation from the tonnage duties collected by them for particular objects. (*See post.*) Arrears.

The Donations are sums paid by virtue of certain bequests. Archbishop Parker, in the year 1566, bequeathed 220 *l.* to the corporation in trust, to pay an annuity of 18 *l.* a year to Corpus Christi College, Cambridge, which payment is now regularly made. The Rev. John Gray left them 120 *l.* for the payment of 5 *l.* to the poor of the parish of St. Martin-at-Palace. Catherine Rogers devised 12 acres of land in the parish of Heigham, as a gift, to the assistant clerk in the town clerk's office, for keeping in order the assembly bonds; 1 *l.* 10 *s.* is paid to him yearly. There are several other donations to the preachers in the cathedral, the inmates of the hospitals, the poor of several parishes, &c., which do not require a more specific enumeration. A payment of 8 *l.* a year to a clergyman for a sacramental lecture, though entered in the chamberlain's book under the head of pensions, seems properly to belong to that of donations. The sum of 200 *l.* was given by —— Hall to the corporation on condition of making this yearly payment. The other pensions paid by the corporation amount to only the small sum of 30 *l.* 10 *s.* The interest of the debts above enumerated is 78 *l.* 17 *s.* 6 *d.* a year. Donations. Pensions and Interest.

The sum of 500 *l.*, which together with the interest due on it, was paid to the Norfolk and Norwich Joint Stock Banking Company, was borrowed by the corporation 1st October 1829. In 1832 they defrayed the expenses of defending two *quo warranto* informations brought against two of the aldermen. One of them was against Alderman Patteson, on the ground that, having accepted the office of treasurer of the county of the city, he was no longer capable of exercising the functions of an alderman and justice of the peace. The case is reported Payments. Extraordinary Expenses.

NORWICH.

reported in 4 Barnewall, and Adolphus's Reports, p. 9, and the court held, that the appointment to and acceptance of the office of treasurer did not vacate the offices of alderman and justice, or either of them. The other *quo warranto* information was against alderman Day, who had accepted the office of inspector of corn returns. The corporation has already paid about 650*l.* on account of these informations, and more money remains to be paid. About the same time an expense of 120*l.* was thrown on the corporation by the then mayor absenting himself from an assembly for the election of guardians; in consequence of which they were compelled to have a mandamus to appoint guardians. An application had been made by a resolution signed by the majority of the commons, and addressed to the mayor to attend the assembly, but he had declined to do so. The corporation have also lately paid the sum of 150*l.* for a piece of plate, to be presented to the late recorder, who had filled the offices of steward and recorder successively for about 25 years.

Law Expenses.

The sum of 180*l.* 10*s.* was paid this year to the town clerk for opposing the guardians; and his general bill for law business was 125*l.* 16*s.* 10*d.*

Preacher's Account.

A guinea is paid from the Preacher's Account for every sermon preached in the cathedral of Norwich throughout the year, except those which are preached by the dignitaries of the church and the master of Corpus Christi College, Cambridge. The like sum is also paid from this fund for seven other sermons, preached on particular occasions. Some sermons preached at different parish churches in the city, are also paid for from the preacher's account, together with small sums to the poor of different parishes, land-tax, &c. The sum received on this account, in the year ending 5th April 1832, was 134*l.* 10*s.* and the balance carried to the chamberlain's account, 64*l.* 17*s.* 2*d.*

Street Account.

The receipts on the Street Account for the year ending 6th April 1833 were 60*l.*, from which sum 2*l.* 5*s.* were deducted for collecting the rents and keeping the accounts, and the remainder 57*l.* 15*s.* was paid over to chamberlain's account.

Barnham Broom Estate.

A balance of rent of 25*l.* was due from the tenant of Barnham Broom Estate at Michaelmas 1831, which sum added to the yearly rent, 145*l.*, makes up the whole sum of 170*l.* received from this estate for the year ending 6th April 1833. The charges on this property already enumerated, together with land-tax, quit-rent, tradesmen's bills, &c. amount to 83*l.* 3*s.* 5*d.*; and the balance 86*l.* 16*s.* 7*d.* was paid to the chamberlain's account.

Foreign Receiver's Account.

The amount of the sums received on Foreign Receiver's Account, in the year ending April 5, 1833, was 172*l.* 15*s.* 4*d.* The deductions from this sum consist of salaries paid to the town clerk and other officers, fees and stamps on the admission of an honorary freeman, expenses at the meetings of the chamberlain's council, &c. and amount to the sum of 57*l.* 14*s.* 4*d.*; the balance 115*l.* 1*s.* was carried to the chamberlain's account.

Market Rents.

The collectors of the market account for the rents which they receive to the market committee; who, after paying all charges on the market, pay over the residue to the chamberlain. The disbursements of this committee in the year ending 6th April 1833, amounted to 736*l.* 7*s.* 9*d.* The principal sums were 260*l.* 15*s.* salaries to the collectors of the market and the hay-weigher; land-tax, 78*l.*; church rate, 26*l.*; poor's rate, 126*l.* 10*s.* 10*d.*; county rate, 26*l.* 11*s.* 8*d.*; plasterer's bill, 20*l.* 8*s.* 7*d.*; and carpenter's ditto, 99*l.* 0*s.* 5*d.* for two years. The other payments were for an audit dinner, officers' dinner, Christmas boxes, constables, printing, advertisements, &c.

The whole of the market receipts for this year was 1,400*l.* 3*s.* 5*d.*, from which, after deducting the disbursements of 736*l.* 7*s.* 9*d.*; the remainder, 663*l.* 15*s.* 8*d.*, was paid over by the market committee to the chamberlain.

The following is an account of the annual receipts, &c.

ANNUAL RECEIPTS and EXPENDITURE of the CORPORATION of the City of *Norwich*, from the 10th October 1780 to 6th April 1833.

	RECEIPTS.			EXPENDITURE.		
	£.	s.	d.	£.	s.	d.
Balance in the hands of the Chamberlain, 10 Oct. 1780.	115	9	1½	—		
1780–1781	2,200	–	9	1,964	10	4
1781–1782	1,730	13	4¾	1,988	5	2½
1782–1783	1,470	–	4½	1,412	3	2
1783–1784	1,504	18	8¾	1,600	5	9
1784–1785	1,504	6	7	1,284	4	4
1785–1786	1,522	14	9¼	1,379	13	11
1786–1787	1,469	2	8	1,495	14	3
1787–1788	1,440	19	9	1,411	9	4½
1788–1789	1,213	4	2	1,502	2	11
1789–1790	1,507	3	10	1,481	15	8½
1790–1791	1,524	14	3¾	1,273	2	6
1791–1792	1,834	–	4¼	1,819	18	11
10th October 1792 to 6th April 1793	1,084	8	6	808	19	2
6th April 1793 to 10th October 1793	412	13	2¾	577	12	2
10th October 1793–1794	1,619	14	4¾	1,360	2	–
1794–1795	1,317	19	7	1,700	16	5
1795–1796	1,718	4	11¼	1,142	5	9
1796–1797	1,349	11	4¾	1,757	17	11
1797–1798	1,179	2	10¾	1,314	10	6
1798–1799	1,085	–	7	1,368	8	11
1799–1800	3,091	19	11	2,844	6	1
1800–1801	1,521	4	8	1,557	12	10
1801–1802	2,141	14	9½	1,796	4	–
1802–1803	2,051	10	11½	1,945	13	10
1803–1804	1,689	15	6	2,112	15	5
1804–1805	1,267	5	4	1,694	5	6
1805–1806	1,998	10	7	1,689	–	9
1806–1807	1,593	15	2	2,152	2	6
1807–1808	2,454	10	3	1,912	19	11
This year's account mislaid - 1808–1809						
1809–1810	1,398	18	1¾	1,725	15	11
1810–1811	2,112	17	11½	1,943	19	5¼
1811–1812	1,370	14	6¼	1,988	12	1¼
This year's account mislaid - 1812–1813						
1813–1814	2,594	12	11¾	2,761	4	11
1814–1815	1,641	6	9½	1,859	4	6
1815–1816	1,780	17	–¼	1,530	14	4
1816–1817	2,656	16	6¾	1,528	13	8½
1817–1818	2,580	16	10¼	2,134	10	6
1818–1819	2,308	18	3	2,218	19	4
1819–1820	1,350	6	–¼	1,792	19	10
Quere? 1820–1821	3,102	12	–	3,017	3	7
1821–1822	2,849	8	8¼	3,336	14	7
1822–1823	2,174	8	11	2,452	14	9
1823–1824	2,582	19	7¼	2,450	1	11
1824–1825	1,387	3	6½	2,799	6	9
Quere? 1825–1826	4,168	8	2	2,667	12	8
Quere? 1826–1827	1,571	8	2	2,964	13	5
Michaelmas - 1827–1828	1,274	11	1½	675	6	9
Lady Day - 1828–1829	2,557	9	6	2,728	9	3
1829–1830	2,525	11	–	2,562	7	7½
1830–1831	2,320	11	11	2,798	18	9
1831–1832	2,925	8	–	2,744	14	5
1832–1833	3,624	12	6	2,899	2	9
Balance in the hands of the Chamberlain, 6th April 1833 - -				926	14	9

The following is a more detailed Account of the Receipts and Expenditure for Five Years.

Dr — The City Account. — Cr

Date	1. Rents of Estates.	2. Balances from other Accounts.	3. Market Rents.	4. Cattle Market Rents.	5. Joint Stock Bank.	TOTAL RECEIPTS.
1828	£. s. d. 189 12 6 1,166 10 10 112 12 6	£. s. d. 53 15 – 257 – –	£. s. d. 654 6 3	£. s. d. 223 12 5		£. s. d. Balance 706 14 7½ Total 2,657 9 6
	1,468 15 10	310 15 –				£. 3,364 4 1½
1829	163 13 6 972 4 10	53 15 – 17 17 6	698 18 8	119 1 6	Loan. 500 – –	Balance 635 14 10½ 2,525 11 –
	1,135 18 4	71 12 6				£. 3,161 5 10½
1830	254 5 6 1,004 14 10 —	9 1 2 122 11 6 37 15 –	733 1 10	159 2 1		Balance 598 18 3 2,320 11 11
	1,259 – 4	169 7 8				£. 2 919 10 2
1831 Fine	192 3 6 1,051 7 4 20 – – —	68 – 2 80 8 – 74 11 4 544 7 8	757 14 2	136 15 10		Balance 120 11 5 2,925 8 –
	1,263 10 10	767 7 2				£. 3,045 19 5
1832	211 7 6 1,034 14 10 — —	71 3 2 57 15 – 86 16 7 115 1 –	663 15 8	165 2 5	Sale of Bridewell. 1,218 16 4	Balance 301 5 – 3,624 12 6
	1,246 2 4	330 15 9				£. 3,925 17 6

Per Contra.

Date.	A. Fees and Salaries and Donations.	B. Pensions, Annuities and Interest.	C. Rates and Taxes.	D. Payments by order of Assembly.	E. Payments by order of Committee.	F. Sundry Payments.	TOTAL DISBURSEMENTS.
1828	£. s. d. 257 17 4 157 – 8	£. s. d. 107 7 6	£. s. d. 365 19 6	£. s. d. 804 9 1	£. s. d. 1,018 13 7	£. s. d. 17 1 7	£. s. d. 2,728 9 3 Balance 635 14 10½
	414 18 –						£. 3,364 4 1½
1829	279 7 4 122 7 4	117 7 6	48 18 4½	773 13 1	1,171 8 5	49 5 7	2,562 7 7½ Balance 598 18 3
	401 14 8						£. 3,161 5 10½
1830	486 2 4 122 – 8	117 7 6	56 4 2	1,214 6 8	777 2 7	25 14 10	2,798 18 9 Balance 120 11 5
	608 3 –						£. 2,919 10 2
1831	390 1 4 143 – 8	117 7 6	46 5 6	1,071 7 2	879 14 6	83 7 6 13 10 3 96 17 9	2,744 14 5 Balance 301 5 –
	533 2 –						£. 3,045 19 5
1832	359 7 4 135 – 8	117 7 6	51 8 4	841 12 7	857 17 1 Loan and Interest 515 8 –	21 1 3	2,899 2 9 Balance 1,026 14 9
	494 8 –					536 9 3	£. 3,925 17 6

Haven and Pier Money.

As the Haven and Pier Money, though no part of the funds of the corporation, is expended under the direction of the River and Street Committee, this may be a convenient place to explain its nature and the purposes to which it is applicable. This fund is derived from certain dues levied on goods, &c. at Yarmouth, a portion of which is paid over to the corporation of Norwich. The general management of the fund, which is regulated by several Acts of Parliament, is in the hands of 12 commissioners, three of whom are chosen from the inhabitants of Yarmouth, three from Norwich, three from the county of Norfolk and three from Suffolk. The commissioners for Norwich are chosen by the corporation every year. The practice is to appoint five commissioners, the mayor, two aldermen and two common councilmen, but only three of them ever go to Yarmouth, where the meetings of the commissioners are held. An annual survey is made of the river, and it is the duty of the commissioners to keep the course of it in proper order by didling, that is, cleansing; to give orders to the superintendent of the didlers, to remove encroachments, keep the sewers and drains running into the river cleansed, and to make all necessary repairs. These functions, as far as Norwich is concerned, are exercised by the River and Street Committee. Their jurisdiction extends from the new mills in the upper part of the city to Hardly Cross, about 20 miles. No money is paid by the chamberlain without the order either of this committee or of the commissioners at Yarmouth. The commissioners do not interfere with the expenditure at Norwich during the year; but if a balance remains in hand at its close, they dispose of it. It is usual to direct such balance to be applied to some useful purpose in the city of Norwich. The assembly of the corporation of Norwich exercise no direct control over this fund. Some years ago a considerable balance was in the hands of the chamberlain as treasurer of the haven and pier money. It generally fluctuated from 200*l.* to 400*l.* When it exceeded that sum the money was applied for by the Yarmouth commissioners. Three new bridges have been partly paid for out of this fund. The commissioners meet at Yarmouth twice a year. They make a report, and transmit it and their accounts to each of the 12 commissioners previously to every meeting.

The mayor, an alderman and the speaker of the commons usually attend as commissioners for Norwich at the general meetings of the commissioners at Yarmouth. The dividend received by the chamberlain for the year ending 11th June 1833, was 878*l.* 3*s.* 2*d.*; and the whole expenditure for the year was 1,207*l.* 13*s.* 5*d.*, leaving a deficiency of 329*l.* 10*s.* 3*d.*, which sum has been advanced by the chamberlain; this, however, includes 263*l.* 0*s.* 6*d.* due to the chamberlain at the close of the last year's account; therefore the debt has been only increased during the current year by the sum of 66*l.* 9*s.* 9*d.* This expense has been chiefly incurred for cleansing the river, removing obstructions, salaries and bills.

The sum of 400*l.* has been advanced from this fund to defray part of the expense of building Carrow bridge, which was erected under the authority of a local Act of Parliament by shareholders. There was a provision in the Act that the bridge should not be a public expense.

The *maximum* of the toll to be received for passing over the bridge was fixed by the Act; by the provisions of which the shareholders were to receive five per cent. on the sum advanced; a certain part of the receipts for tolls was to be funded for the repair of the bridge; the shareholders were then to be paid off; after which the public were to have the use of the bridge without any further payment. The account given by the town clerk and chamberlain of this transaction was, that the commissioners at Yarmouth had directed these sums to be advanced for the purpose above stated at two different periods, 300*l.* in 1807, and 100*l.* in 1821. A common councilman said, that the shareholders were all of the same political party as the majority of the corporation; but he added, that probably a similar advance had been made for another bridge; the shareholders of which were of the opposite political party.

Tonnage Duties.

By stat. 12 Geo. I. c. 15, intituled, "An Act for repairing the Walls, Gates and other Public Works in the City of Norwich, and the several Bridges in and near the said City, and for amending the Roads therein mentioned," the corporation are authorized to collect tonnage duties on goods brought by vessels from Yarmouth to Norwich. The second section of the Act points out the purposes to which the duties are to be applied in the following words: "which said sum and sums of money shall be paid to the mayor, sheriffs, citizens and commonalty of the said city of Norwich, for the time being, or to such person or persons as they shall appoint to collect and receive the same; and when received shall, (after deducting the charges and expenses of and about or by reason of passing this Act of Parliament) be applied and disposed of for and towards rebuilding or repairing the walls and bridges aforesaid, and for and towards amending, repairing and maintaining the gates, wastes, stathes, wharfs and highways or roads aforesaid, and other public works within the said city, and to no other purpose whatsoever." The treasurer of the tonnage revenues had a balance of 876*l.* 6*s.* 2*d.* in hand at the commencement, and received dues to the amount of 993*l.* 9*s.* 4*d.* in the course of the year ending 6th April 1833. The sum of 498*l.* 11*s.* 9*d.* was funded in this year, and the expenditure of the year was 1,012*l.* 13*s.* 7*d.*, leaving in the treasurer's hands a balance of 358*l.* 10*s.* 2*d.* The following is an account of the receipts, &c.

RECEIPTS of the TREASURER of the TONNAGE REVENUES, from April 1828 to April 1833.

	£.	s.	d.
April 1828.—To Balance	1,612	3	10
Tonnage Dues	1,131	8	–
Paving Commissioners, Thetford Tolls and Dividends	127	5	4
£.	2,870	17	2
Disbursements	1,473	1	10
April 1829.—To Balance	1,397	15	4
Sale of 500*l.* consols	446	17	6
Haven and Pier Commissioners	360	–	–
Tonnage Dues	909	2	–
Tolls, Dividend and Sundries	79	2	5
£.	3,192	17	3
Disbursements	2,415	1	7
April 1830.—To Balance	777	15	8
Tonnage Dues	978	8	–
Thetford Tolls	57	5	4
£.	1,813	9	–
Disbursements	1,002	8	3
April 1831.—To Balance	811	–	9
Tonnage Dues	966	4	6
Thetford Tolls	44	5	4
	1,821	10	7
Disbursements	945	4	5
April 1832.—To Balance	876	6	2
Tonnage Dues	949	4	–
Thetford Tolls	44	5	4
£.	1,869	15	6
Disbursements	1,511	5	4
April 1833.—To Balance	358	10	2

DISBURSEMENTS of the TREASURER of the TONNAGE REVENUES, from April 1828 to April 1833.

	1828.			1829.			1830.			1831.			1832.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
Salaries	326	12	9	243	11	6	282	6	–	260	15	–	278	13	–
County of Norfolk	60	–	–	–	–		30	–	–	30	–	–	30	–	–
Roads and Paving	211	17	10	119	10	8	141	11	7	215	17	8	180	6	9
Repairs of Estates	686	13	4	308	18	4	51	10	2	57	6	11	497	14	1
Printing and Extras	15	15	6	26	17	6	20	13	–	7	13	–	10	19	3
Purchase in Funds	–	–		–	–		–	–		–	–		498	11	9
Town Clerk and Collectors Bills	52	4	5	7	2	–	17	5	8	13	11	10	15	–	6
Fye Bridge	119	18	–	1,709	1	7	459	1	10	—			—		
Chamberlain of Norwich	–	–		–	–		–	–		360	–	–	—		
£.	1,473	1	10	2,415	1	7	1,002	8	3	945	4	5	1,511	5	4

The tonnage committee have the management of this fund, and receive monthly an account from the collector of the dues received by him, and paid over to the treasurer. The treasurer has of late years been a member of the committee. The collector produces to the committee a book in the hand writing of the treasurer; and the committee order payments to be made for the several items in the account. From this fund are paid the landlord's repairs of the walls and the repairs of the roads, directed by the Act. No extra expense is incurred without the authority of the assembly. When the balance in the treasurer's hands is considerable, it is usually funded; but is sometimes kept in hand for the purpose of pulling down a bridge and building a new one. The amount of tolls collected is fixed by the Act.

It has already been shown that the sum of 90*l.* a year is paid from this fund to the commissioners under the Paving Act. The other disbursements are chiefly for repairs to bridges, buildings and roads, and for salaries and allowances to officers. Considerable sums of money have been from time to time advanced by the tonnage committee to the corporation as loans. The first of these advances was in the year 1813, and the last in 1826. The whole amount is 3,700*l.* The last item of this account indeed appears to have been erroneously entered in the books as a loan; and was, in fact, advanced to pay for building the hay weigher's house, which was erected on the waste; and the expenditure for that purpose was understood by the committee to be justified by the language of the statute. With respect to the other loans, no interest has ever been paid upon them; and the town clerk said, on his examination, that he had not understood that either interest or principal

was

NORWICH.

was ever to be paid. No evidence was produced before us to justify the appropriation to the general use of the corporation of a fund specifically applied by Act of Parliament to particular purposes. This apparent misappropriation has not been occasioned by the flourishing state of the fund from which the money was drawn. Their funded property consists of 565*l.* 15*s.* 5*d.* three per cent. consols only; and the town clerk stated that he thought the tonnage committee would not be able to defray their future expenses from the dividends on that sum and the tonnage duties to be collected in future. This indeed appears highly probable from the accounts from the last five years, which show that the average yearly receipts for that period was 1,218*l.* 13*s.* 6*d.*, while the average yearly expenditure amounted to 1,469*l.* 8*s.* 3½*d.*, being an excess of expenditure beyond the receipts of 250*l.* 14*s.* 9½*d.* During this period the treasurer has been permitted to hold large balances in his hands, to the amount stated in the following account.

Balances in the Treasurer's hands on the 6th of April in the following years:

	£.	s.	d.
1828	1,612	3	10
1829	1,397	15	4
1830	777	15	8
1831	811	—	9
1832	876	6	2
1833	358	10	2

We think that these balances should have been funded every year; and no evidence was produced before us to justify the retention of such large sums in the hands of the treasurer.

County Rate.

The County Rate is levied every quarter. The county treasurer lays his accounts of the money already disbursed, and an estimate of the sum which will be required for the ensuing quarter before the committee of magistrates, and the estimates and accounts are examined by them. All bills are examined item by item. When the accounts and estimate have been gone through, the justices fix the rate to be levied for the next quarter. In one instance, the rate was fixed previously to the examination of the accounts, which was occasioned by the absence of a member of the committee of magistrates. An account is sent to the town clerk every quarter of the sums assessed on each parish. The property in the several parishes is considered to be rated at one-fourth value. The average sum raised by the county rate is about 6,000*l.* a year.

The sum raised in the year ending June 1833 was 6,071*l.* 2*s.* 6*d.* to which must be added, the balance in the treasurer's hand at the beginning of the year, 983*l.* 12*s.* 4*d.* and 21*l.* 18*s.* fines for assaults, &c. making the total in the hands of the treasurer, 7,076*l.* 12*s.* 10*d.* The expenditure for the year was 6,273*l.* 2*s.* 3*d.*, leaving a balance of 803*l.* 10*s.* 7*d.* The rating for the whole year amounted to 4*s.* 6*d.* in the pound.

Expense of building the new Gaol, &c.

The heaviest items in the expenditure of this year, consisted of sums paid to liquidate a debt incurred for the purpose of building a new gaol and house of correction. The corporation, on the 24th of February 1823, leased a piece of land to the justices for 500 years, at the yearly rent of 50*l.*; 20,000*l.* were borrowed of government, and 5,000*l.* of the Joint Stock Banking Company. The gaol was built by contract, for 22,724*l.* 13*s.* and additional charges on account of the gaol have amounted to 2,227*l.* 7*s.* 2*d.* Part of the debt to the bank has been paid, and 9,500*l.* have been repaid to government. Two instalments of 500*l.* were paid to government in the last year, amounting, with interest, to 1,470*l.* Two instalments, of 250*l.* each, amounting, with interest, to 639*l.* 14*s.* 6*d.* were paid to the Joint Stock Bank. The expenses of the gaol for the year were 911*l.* 14*s.* 9*d.* (including the whole rent for both gaol and house of correction, which form one building); those of the house of correction 453*l.* 3*s.* 4*d.* The other principal items of expenditure were, assize expenses, prosecutions, &c., 388*l.* 6*s.* 8*d.*; clerk of the peace's bill, 477*l.* 15*s.* 3*d.*; expenses of coroner's inquests, 86*l.* 19*s.* 6*d.*; constables and patrole, 850*l.* 16*s.* 5*d.*; conveying convicts for transportation, 143*l.* 3*s.* 7*d.*; printing and stationery, 123*l.* 7*s.* 6*d.*; sessions prosecutions, 103*l.* 6*s.* 4*d.*; repairs and alterations of sessions court, 91*l.* 19*s.* 7*d.*; the sword bearer's bill, 166*l.* 4*s.* 6*d.* The other expenses are, salaries, repairs of the hall, some police expenses, billetting of soldiers, and conveying of baggage, &c. There is a charge of 13*l.* 4*s.* paid to pensioners, who are old soldiers. We are not aware of any law empowering the magistrates to lay such a charge as this on the county rate. For the last four years, there has been a balance in the hands of the county treasurer of about 600*l.* The treasurer has the advantage of the interest paid by the bankers, on balances in their hands. Allowing this large sum to remain with the treasurer, seems to us unnecessary and improper. The chief constable, who collects the county rate, does not always pay it over immediately to the treasurer, but sometimes retains a large sum in his hands. A late chief constable had, at the time of his death, the sum of 700*l.* in his possession, which ought to have been paid over to the treasurer. We cannot discover any reason why the chief constable should not pay over the rate to the treasurer, at the first convenient season after he has collected it. Both the treasurer and chief constable give security, with sureties, to the amount of 1,000*l.* each. Some time ago, cloth was supplied for the prisoners, by an alderman who was a magistrate; and afterwards, on an objection having been made to a magistrate selling goods for the prisoners, other goods were furnished by the son of the alderman, who was not in business on his own account, but merely employed in assisting his father. This objectionable proceeding was at last put an end to by an order of the magistrates, that neither the father nor the son should supply any goods for the gaol.

Hospitals.

The following are accounts of the receipts and expenditure for the Hospitals for five years:—

NORWICH.

THE RECEIPTS of the TREASURER of the GREAT HOSPITAL, from April 1828 to April 1833.

		£.	s.	d.
Apr. 1828:	To balance in hand			
	Rents	£. 5,408	9	6
	Deduct for Cringleford farm	15	9	11
		5,392	19	7
	Dividends, fines and sundries	440	18	6
		9,360	13	2
	By disbursements	8,514	3	3½
Apr. 1829:	To balance	846	9	10½
	Rents	£. 5,425	18	9
	Less	15	9	11
		5,410	8	10
	Sale of 3,000 *l.* consols	2,670	–	–
	Dividends and sundries	370	14	–
		9,297	12	8½
	By disbursements	6,722	2	2½
Apr. 1830:	To balance	2,575	10	6
	Rents	£. 5,130	1	8
	Less	15	9	11
		5,114	11	9
	Dividends and Sundries	326	5	10
		8,016	8	1
	By disbursements	6,978	16	4
Apr. 1831:	To balance	1,037	11	9
	Rents	£. 5,864	10	2
	Less	12	17	1
		5,851	13	1
	Dividends and sundries	439	4	–
		7,328	8	10
	By disbursements	5,684	17	7
Apr. 1832:	To balance	1,643	11	3
	Rents	£. 5,460	12	4
	Less	15	9	11
		5,445	2	5
	Dividends and sundries	313	5	–
		7,401	18	8
	By disbursements	5,720	18	4
Apr. 1833:	To balance	1,681	–	4

The DISBURSEMENTS of the TREASURER of the GREAT HOSPITAL, from April 1828 to April 1833.

	1828.			1829.			1830.			1831.			1832.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
Salaries and Stipends	1,084	3	11	1,104	4	5	1,094	3	11	1,146	3	11	1,247	15	–
Provisions	2,287	–	–	2,105	6	2	2,339	10	2	2,446	1	2	2,417	2	5
Clothing	433	6	2	389	5	10	479	2	11	353	6	7	487	16	1
Annuitants and Pensions	188	12	6½	333	–	1	343	8	–	345	1	5	351	16	6
Repairs	1,110	19	–	1,255	5	3½	2,374	3	2	1,141	17	10	798	–	10
Furniture and Sundries	88	8	2	234	16	4	80	6	3	76	18	11	162	18	9
Rates, Taxes, Printing, &c.	59	6	9	58	3	2	48	–	2	54	7	–	54	6	9
Funerals	25	14	9	24	9	–	24	13	3	36	5	–	27	1	3
New Buildings	2,836	11	–	1,100	7	5	nil			nil.			nil.		
Surveyors	135	5	6	22	6	–	195	8	6	40	–	–	133	13	1
Town Clerk's Bills	264	15	6	94	18	6	nil.			44	15	9	40	7	8
£.	8,514	3	3½	6,722	2	2½	6,978	16	4	5,684	17	7	5,720	18	4

Receipts and Disbursements of the Treasurer of Doughty's Hospital, from April 1828 to April 1833.

	£.	s.	d.
April 1828: To Balance	1,114	6	5
Rents	580 – –		
	15 9 11		
	595	9	11
Dividends	290	5	6
Chamberlain, one year's Interest	64	17	6
	2,064	19	4
Disbursements	856	18	9
April 1829: To Balance	1,208	–	7
Rents	520	9	11
Dividends and Interest, as above	355	3	–
	2,083	13	6
Disbursements	943	16	10
April 1830: To Balance	1,139	16	8
Rents	590	9	11
Dividends and Interest	355	3	–
	2,085	9	7
Disbursements	1,868	4	1
April 1831: To Balance	1,017	5	6
Rents	471	8	10
Dividends and Interest	355	3	–
	1,843	17	4
Disbursements	922	16	5
April 1832: To Balance	921	–	11
Rents	791	18	2
Dividends and Interest	355	3	–
	2,068	2	1
Disbursements	1,492	18	1
April 1833: To Balance	575	4	–

	1828.			1829.			1830.			1831.			1832.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
Master's Disbursements	661	7	2	668	13	4	656	12	6	649	2	2	658	17	2
Clothing	69	12	6	80	17	11	75	9	1	72	10	–	90	6	–
Repairs and Alterations	75	19	2	73	4	1	285	–	2	168	5	6	65	15	7
Rates and Taxes	2	14	7	8	14	10	9	10	10	8	14	10	9	2	10
Steward, Town Clerk, and Surgeon	18	1	–	83	16	6	20	1	6	8	13	3	54	4	–
Sundry Expenses	29	4	4	28	10	2	21	10	–	15	10	8	19	12	6
Purchase of Land	–	–	–	–	–	–	–	–	–	–	–	–	595	–	–
£.	856	18	9	943	16	10	1,068	4	1	922	16	5	1,492	18	1

Receipts and Disbursements of the Treasurer of the Boys' Hospital, from April 1828 to April 1833.

	£.	s.	d.
April 1828: To Balance	321	4	6
Rents	1,102	7	9
Dividends on 4,000 *l.* consols	120	–	–
Timber sold	17	6	–
£.	1,560	18	3
Disbursements	943	5	8
April 1829: To Balance	617	12	7
Rents £. 1,209 5 –			
Deduct 197 16 11 (for Bixley & Foster.)	1,011	8	1
Dividend and Donations 5 *l.*	125	–	–
£.	1,754	–	8
Disbursements	1,020	18	4
April 1830: To Balance	733	2	4
Rents £. 1,180 6 8			
Less 73 18 10	1,106	7	10
Dividend and Donation 2 *l.* 10 *s.*	122	10	–
£.	1,962	–	2
Disbursements	881	17	6
April 1831: To Balance	1,080	2	8
Rents £. 936 14 7			
Less (Lincoln.) 42 11 –	894	3	7
Dividend and Donation	122	10	–
£.	2,096	16	3
Disbursements	1,304	19	–
April 1832: To Balance	791	17	3
Rents £. 1,116 4 9			
Less 90 19 –	1,025	5	9
Dividend and Donation	122	10	–
£.	1,939	13	–
Disbursements	1,072	5	4
April 1833: To Balance	867	7	8

	1828.	1829.	1830.	1831.	1832.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Payments, Premiums, and Poor	631 – –	587 10 –	562 10 –	745 10 –	730 – –
Clothing	61 10 –	59 10 –	52 10 –	90 18 –	78 – –
Repairs and Alterations	152 – 4	134 – 3	160 3 1	344 – 7	125 19 5
Rates and Taxes	9 11 8	56 2 1	8 17 –	41 12 10	14 1 4
Steward, Surveyor and Town-clerk	43 13 6	118 18 8	35 3 –	40 1 –	66 15 6
Sundry Payments	43 10 2	64 17 4	62 14 5	42 16 7	57 9 1
£.	943 5 8	1,020 18 4	881 17 6	1,304 19 –	1,072 5 4

RECEIPTS of the TREASURER of the GIRL'S HOSPITAL, from April 1828 to April 1833.

		£.	s.	d.
Apr. 1828: To Balance		392	3	11
Rents		411	8	4
Dividends	£. 55. 15. 6. consols. 35. — — 3½ per cent. do.	90	15	6
	£.	894	7	9
Disbursements		529	3	11
Apr. 1829. To Balance		365	3	10
Rents		560	16	6
Dividends		90	15	6
Chamberlain, per interest £. 28. donation 5.		33	—	—
	£.	1,049	15	10
Disbursements		550	2	—
Apr. 1830: To Balance		499	13	10
Rents		295	9	4
Dividends		90	15	6
Interest and Donation		16	10	—
	£.	902	8	8
Disbursements		477	6	3
Apr. 1831: To Balance		425	2	5
Rents		479	17	4
Dividends, Interest and Donation, as in 1830		107	5	6
	£.	1,012	5	3
Disbursements		498	4	2
Apr. 1832: To Balance		514	1	1
Rents		408	11	2
Dividends	£. 57. 11. 5. consols. 35. — — 3½ per cent. do.	92	11	5
Interest and Donation as above		16	10	—
Alderman John Brown's second donation		100	—	—
	£.	1,131	13	8
Disbursements		629	1	5
Apr. 1833: To Balance		502	12	3

DISBURSEMENTS of the TREASURER of the GIRLS' HOSPITAL, from April 1828 to April 1833.

	1828.			1829.			1830.			1831.			1832.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
Payments and Premiums	376	—	—	367	—	—	376	—	—	377	4	—	402	4	—
Clothing	54	—	—	48	15	4	53	—	6	68	10	8	60	12	4
Rates and Taxes	12	3	9	12	3	9	11	16	9	8	—	9	11	16	9
Steward and Town Clerk's bills	66	6	6	53	10	—	9	5	—	24	19	10	34	14	6
Sundry expenses	20	13	8	34	14	—	23	8	8	19	8	11	19	16	10
Repairs	—	—	—	33	18	11	3	15	4	—			—		
Purchase in Funds	—	—	—	—	—	—	—	—	—	—	—	—	99	17	—
£.	529	3	11	550	2	—	477	6	3	498	4	2	629	1	5

NORWICH.

Auditing Accounts.

All the corporation Accounts, including the charity accounts, are made up annually and submitted to the committee of auditors. They report to the next assembly the balance in hand on each account. If the balance appears to be greater than the assembly think necessary they order it to be invested. This has sometimes, but not frequently, been proposed by the auditors. The treasurer of the Great Hospital has proposed it more than once. The auditors merely examine the receipts. The accounts, when they have been audited, are placed in the office of the town clerk, and may be inspected by any member of the corporation. For the last four years printed extracts of the accounts have been sent round to every member of the corporation. The town clerk said that he should allow any corporator to inspect the bills, but that he thought he should decline permitting them to take copies.

FACTS EVINCING THE EFFECTS OF THE CORPORATION SYSTEM.

We have reserved for the concluding part of our Report a body of facts, proved before us by satisfactory evidence, tending to show the effects of the corporate system on the trade and business of this city, and on the conduct, character and condition of its inhabitants.

Proceedings at the local elections.

We have already seen that the aldermen are chosen whenever a vacancy occurs, and the sheriffs and common councilmen every year, by the freemen; that the voters of each great ward elect the common councilmen for their respective wards; and that the election is not made at once by the whole body of the freemen, but that they elect persons who are called nominees in each ward; and the nominees fill up the requisite number of common councilmen. As the number of the members of the common council is different in the several wards, the nominees have, in one ward, the election of 17 members, in another, of 13, and in the two others, of nine each. The election, therefore, of the great majority of this branch of the ruling body of the corporation is entirely in the hands of the nominees.

For a long time past the voters of Norwich have been divided into two parties, the one called the purple and orange, and the other the blue and white party.

Bribery at the local elections.

That Bribery has been very frequently and extensively practised by both parties at the local elections was clearly proved. "Both parties," said an alderman of the purple side, "act on the same principle of bribing and treating to secure votes, but it is done to the greatest extent by the Whigs." "I have stood," said an active partisan of the other party, "in the market place, and offered money for votes. At all contested elections a similar system is pursued. Nothing but poverty of purse makes purity of election at Norwich." Bribery at Norwich, said a third, is as common as the sun at noon day.

Subscriptions by Magistrates and Members of the Council.

Subscriptions are raised for the purpose of securing the return of particular candidates at these elections, far exceeding in amount the necessary and legal expenses of the elections. The subscribers have been principally members of the Council, but some of the Aldermen and Magistrates have also subscribed.

Specific acts of bribery.

We proceed to specify particular acts of bribery, which were proved.

At an election of an alderman in 1820 a voter received 15*l.* for his vote from one of the candidates, who also promised to procure him a place, or, if he could not do so, to give him 3*l.* or 4*l.* after the election. This person admitted that he had received bribes at former elections from both parties, and that money had been given him to remove from one ward in order to vote in another.

At the election of an alderman in 1821 bribing took place to a great extent. A member of the committee of one of the candidates, who kept the account, admitted that there was a regular system of buying votes, and that 700*l.* or 800*l.* were spent on his side. On the morning of the election the opposing candidate openly gave two guineas to each voter at the polling-place, and the other then followed his example and did the same. Four hundred and thirty freemen voted for him, and about 300 of them took the money. Many who received the money at the poll had not previously asked for any.

At the election of an alderman in 1827, 20*l.* were paid for a single vote. In the same year 10*l.* were given for two votes in Wymer ward.

A freemen acknowledged that he had received 10*l.* for his vote at the election of an alderman in 1830, and that he has several times received the same sum on the same account. Three other voters at the same election were paid 10*l.* each.

About three years ago a voter asked a candidate for the office of alderman 30*l.* for his vote, but did not at the time intend to vote for him. The candidate requested him to go to his committee, "who," he said, "would agree with him no doubt; and that he should be paid." The voter refused. The candidate afterwards met him, and offered him 10*l.* The voter asked 15*l.* The candidate then turned away, and the voter told him, that if he would fill his hat with sovereigns he would not vote for him.

About six or eight years ago, at an election of nominees, a 5*l.* note was offered to a voter for his vote, and was laid down upon his table. He refused it; and another 5*l.* was offered, which was also refused. At length 40*l.* was offered for the vote with the same want of success. The person offering the bribe was a common councilman. This is one of many instances of voters in inferior stations having resisted all attempts to bribe them.

At an election of nominees for Wymer ward in 1830, the chamberlain came into a public-house where eight voters for that ward had assembled. He took one of them into the yard and

and gave him three sovereigns, saying that he had no more money in his pocket, but that he would send down a man to pay the other seven. A man afterwards came and paid three sovereigns each to the seven, and he also paid the landlord of the public-house, his reckoning for the eight.

At an election of nominees in 1819, evidence was given that the chamberlain, then a candidate, pulled some notes out of his pocket and offered a 10*l.* note to a voter, and said that, if that would not do, he should have two. He also offered to give him a note on stamped paper, and to get him into the hospital when he was of the proper age. The bribe was refused. The chamberlain did not profess to have any distinct recollection of the transaction; but he said that very little money was spent in 1819, and that he was sure it could not have taken place in that year "except in the way of banter."

We had proof that at an election of sheriffs 40 voters were paid from 30*s.* to 4*l.* a head; that 30*l.* had once been paid for a single vote for a common councilman; and that 20*l.* had been frequently paid. It was stated that the common councilmen think it part of their duty to act on the election committees.

Hospital notes.

A mode of bribing, which has been frequently practised, consists in giving notes promising to get freemen into the Hospitals, and to make them allowances till they can be admitted. An alderman gave evidence that he had, in two instances, before he became an alderman, signed notes promising to allow individuals weekly sums till they were admitted into the hospitals. He also remembered having made a verbal promise of a similar nature; but he was not quite sure whether it was before or after he became an alderman, though he thought it was before. These notes and promises, he admitted, were given for the purpose of procuring votes. He had seen several notes of this kind, but did not recollect any given by aldermen.

It was proved that one of them was given to a voter at the committee of the purple party, to induce him to vote for their nominees; and that money was paid on it for more than a year. This note was given by one of the candidates, who is now the speaker of the common council, and it was written by one of the present aldermen.

At the election of nominees for Conisford ward, in 1829, a voter applied to a member of the blue party for an hospital note, and said that he could get one from the other side. The note given upon this occasion was produced before us, and the following is a copy:

"GENTLEMEN,

"I, Robert Balls, and I, James Balls, have both agreed, that if you will give me, Robert Balls a pension of 2*s.* 6*d.* per week, we will both vote in your interest this day.

"N.B. We have voted in the blue and white interest the last fourteen years.

"Your obedient servants,

"October 14th, 1829." "*Robert Balls* and *James Balls.*"

This agreement was made on an understanding that Balls should be paid 2*s.* 6*d.* a week till he could be got into the hospital. No alderman however had any thing to do with this transaction. Balls could not be got into the hospital, and 10*l.* was at last paid to him to give up the note. It appeared that one of the freemen had received money on a similar note for nine or ten years.

Three aldermen of the blue party have been heard to say, at different times, to individuals who have been active partizans at elections, that they might have their turn in the hospital if they would give their votes as the aldermen wished.

At the election of a sheriff in 1832, a note was given by an alderman to a freeman promising to pay him 4*s.* a week till his brother's boy was put into the hospital school. The note was signed by a third person, in the presence of the alderman, and by his order. The voter understood that the alderman would procure admission for the boy, and that 4*s.* a week was to be paid till he was admitted; but that he was to wait a year. The boy was not received into the hospital school, nor was any money paid upon the note. The alderman declared that he had positively refused any promise to put the boy into the school; but admitted that the note was written in his presence.

It was admitted on both sides that such notes have been frequently given, and that freemen have been placed in the hospital in consequence. In some instances they have been given by the aldermen themselves, and in others the aldermen have been acquainted with the transaction.

Loans of Charity money.

Loans of Charity Money, under the control of the assembly, and which is called the City Money, have been frequently granted to particular individuals, on account of their votes. On one occasion, the chamberlain, on canvassing a freeman, asked him whether a loan of city money would not be useful to him; and said that he would undertake to get it for him. A verbal agreement was made between them, that the voter should have the money if he voted for the purple candidates. He did so, and received the money. He had generally, but not always, on previous occasions, voted with the blue party. The chamberlain told him that he should have no trouble in finding securities; and an alderman, whom he had known all his life, became his surety without any solicitation on his part.

Bribery at Parliamentary elections.

Considering the extent to which the practice of bribery at local elections has been carried, it may appear extraordinary that it should not long ago have been extended to the parliamentary

NORWICH.

mentary elections for the city. It does not, however, appear that money has been given for votes in the election of Members for Parliament till the last election. We had, indeed, evidence that in one instance a loan of city money had been offered at a previous election to a voter by an alderman, who at the same time promised to become one of his sureties if he would vote for a particular candidate. The offer was not accepted.

Connexion between the municipal and general elections.

While the freemen exclusively formed the parliamentary constituency, the strength of political parties was tried at the contests for municipal offices; and from an instance given by the chamberlain, it seems that, after receiving a bribe at the municipal elections, it was considered a matter of honour to vote for the same party at the general election. The instance was this. In 1818 the election of an alderman took place just before the general election, and it was thought important to carry the former in order to secure the latter. Bribery was carried to a greater extent than at any previous contest; and it was considered, says the chamberlain, that the freemen who voted for the nominees of the sitting member upon this occasion would, as a matter of honourable feeling, vote for the member himself at the ensuing general election.

It was stated by one of the opposite party, who has been actively engaged at the parliamentary elections, that while the non-resident freemen formed a part of the constituency, the expense of bringing them up to vote was so considerable, that the candidates were unwilling to encounter the further expense of bribery. When the Reform Act deprived these voters of their electoral franchise, the former expense was removed, and the funds out of which it was defrayed became available for the purchase of votes.

Evidence was adduced before us of money having been offered and given to freemen at the last parliamentary election by friends of the successful candidates It ought to be recorded, to the honour of many voters in the lower classes of life, that they have resisted every effort to corrupt them.

Cooping.

We next proceed to give some account of what is commonly called *cooping*. It consists sometimes in seizing and confining the voters of the opposite party during the time of an election, and keeping them in confinement till the poll is closed, or till they are induced to promise their votes to the party confining them. On other occasions, voters have been cooped by their own friends to prevent violence or seduction by the opposing party. This practice has been frequently resorted to by both parties. There is no doubt that it is sometimes done with the consent of the persons cooped; but proof was adduced before us of cases attended with circumstances of great brutality, in which the persons confined were taken by force, and detained against their will. We think that the most satisfactory way of reporting these cases is by giving the evidence produced before us, though it must necessarily run to a considerable length.

The Evidence of *Robert Alden*:—"I was in Bear-street at the time of Alderman Angell's election. It was two or three days before the day of the election. Several men, perhaps 50, carried and pushed me into the Bell Inn, in the day-time. The Bell is about a quarter of a mile from Bear-street. They put me by force into a post-chaise. I was carried in the chaise to Panxworth, about 14 miles off. I was put into a room with some more. I had intended to vote for Marshall. There were a great many in the room. Some of them told me that they were detained there against their will, and that they intended to vote for Marshall. I was kept there from four o'clock in the afternoon till midnight of the next day. A great number of men came with sticks, and a person named Houghton was there. These men stood in a row to guard us as we were taken from the room in which we had been confined. We were put into a stage-coach, guarded by men with staves, about 50 in number, and taken to Ranworth. Houghton was acting as one of the party who guarded us. I saw him about three or four o'clock in the afternoon of the second day, and several times in the course of that afternoon. Men with pokers were guarding the room at Panxworth. I complained of being detained against my will, and asked Houghton if he could take me away. He said he had nothing to do with it; but I believe he was acting as one of the party. I saw him once in the room, but did not see him do any thing. Mr. Bell, the coroner was in the yard. I do not think I had an opportunity of speaking to him. I think Ranworth is six or eight miles further from Norwich than Panxworth. Men were there with staves. I think eight of the men who had been confined at Panxworth were taken to Ranworth. One of them was taken back to Norwich. He told me that he had promised to vote for Angell if they would take him back, but that he intended to vote for Marshall. He did vote for Marshall. We were put into a wherry at Ranworth, and the wherry went out on the Broad, a lake into which the river runs, and there cast anchor. Seven of us were on board the wherry, and there were about six watermen. They gave our party rum and milk and made them drink it. Some say laudanum was put in it. The other party used some of our men ill. They put one man in a sack and trod on the toes of another. I would not drink their rum and milk. I was perfectly sober. I attempted to escape in the morning as soon as it was light by jumping, with another person, into another boat. Some men came after us out of the wherry, took us out of the boat, and put us into the wherry again. Then came a posse of our own friends in another wherry to take us away. The wherry in which we were confined got near the bank, and I jumped on shore and joined our party in the other wherry. One of the men from the first wherry, named Cox, jumped on shore and caught hold of me, but let me go when he saw the other wherry near. I understood the object of our detention was to prevent our voting for Marshall. Several of the men told me they were employed by young Mr. Hankes. The people on board the wherry told me that

that Alderman Hankes had come on board. This happened in 1827. Mr. Bell was talking to the men who detained us at Panxworth. When we tried to escape the windows were taken out, and iron bars were put in to prevent our escape. I saw Bell and Houghton talking with the men who took out the windows, either at the time or just before."

Benjamin Barnes said as follows :—" I am a waterman. At the time of Angell's election I went to deliver persons detained in a wherry. I went to Ranworth, supposing that the men were detained there. We found another wherry in the diker. We took the wherry. and endeavoured to get on board the other wherry. We overtook it. Alden jumped out, and we took him on board our wherry. We ran our wherry athwart their bow. They were armed with scythes. Cox threatened to cut down the first person that came on board. We did not board the wherry. One of our party received a blow from a quod, which is a long pole used for pushing the craft along. There is no doubt that cooping was practised on both sides. It was dangerous at this time for a voter to leave his house, for fear of being forcibly carried away. The same thing has been done at other elections. I think one party as bad as the other."

Thomas Rust's Evidence :—" I saw Alderman Crisp Brown taken by force at the time of Angell's election, into a cottage behind the Imperial Arms. He was a supporter of Angell's, and was confined there on the day preceding the election. He was detained there more than an hour, and I understood he was liberated on condition that other persons should be released for him. I think Mr. Merry was detained at the Imperial Arms, where Marshall's committee sat. I am confident people were detained on both sides to prevent their voting.

James Houghton's Evidence :—" I never saw Alden at the Panxworth Lion. I was there, and was aware of people being shut up in the rooms, and I helped a little. I was a sheriff's officer. I was merely there to keep things quiet in the best way I could; my object was to keep our own party from being taken away by the other party. Parties on both sides came to that place. Some gentlemen were sent from the Bell, I believe by Aldermen Angell, to the Imperial Arms to have the practice of taking people away given up by both parties. I could get no answer. I saw Mr. Alfred Barnard there, and told him why I came, but I cannot say whether he was on the committee or not. I was forced to come away, for they were going to steal me, though I had no vote. I returned from Panxworth to Norwich on the morning of the election, and brought seven or eight of our own men with me in a coach and four. I left Panxworth about three or four o'clock in the afternoon. I said nothing about releasing the men, and I think if I had it would have been of no use. I went to Panxworth to look after our own men, and to bring them up to vote the next day."

Samuel Shalders's Evidence :—" I was one of the persons confined. I live adjoining to the Bell; I was busy at work in the afternoon, when I was sent for there on business. I got into the yard, when the door was closed upon me. I attempted to get out of the yard, but a man, named Isaac Eye, a sheriff's officer, knocked me down. I was carried in a coach to Panxworth. Eye sat upon me all the time. I kept crying for assistance. I was locked up in a room at Panxworth, Drink was offered to me and fruit. I am fully of opinion that something was put into the drink, calculated to produce intoxication or sleep. Some straw was put down for us to sleep on. Mr. Hankes, the younger, put the whole village in arms, as far as bludgeons and quarter-staff; 40 or 50 persons were so armed. They guarded the house. Alderman Hankes was a supporter of Angell at the election. No person was suffered to go out of the room where we were confined without two persons going with him. The wherry into which we were afterwards put had Hankes, junior's name on it. He assisted in putting us on board. We were about 24 hours without any food. None was offered to us; and we had no means of getting any. We asked for food several times. They said they had none, but when we got to a certain place we should have some. Alden alone escaped. We afterwards got out of the wherry, and a farmer brought us some bread and cheese in a cart. We were on board the wherry from Tuesday to Thursday morning, and had only one meal. After the election was over, we were taken back to the Panxworth Lion, and allowed to go where we pleased. We all walked back to Norwich, about 10 miles. Houghton walked about the room in which we were confined with a poker in his hand. He was one of those who kept us in custody. He took the poker from the fire-place, and walked about the room with it. He was in the room about half an hour."

James Ducker's Evidence :—" On Saturday night before the election I was going home, and was stopped by two men. They forced me along Bear-street into the Butchers' Arms. I tried to get away. They knocked me down. Two men named Mealing and Mills were there. They had some rum in a quartern measure. It appeared to me by the smell that there was laudanum in it. My wife, who had followed me, knocked it out of their hands. Mealing brought some more liquor. They threw me down on some straw, and four or five of them got hold of my hands and legs, and others poured the liquor into my mouth. There was not a great deal of it. It made me sleepy, and I fell asleep. When I awoke, they were bringing me down stairs. They put me into a coach. It was then Sunday morning. They took me to Panxworth Lion. I saw Houghton and Cox at the door. I did not see Houghton come into the room. I saw him on the outside with a poker in his hand. He was standing to keep guard at the door. He said so. He stopped me in going down stairs. They took away my shoes, hat and neckcloth before I left Norwich. They were never returned till I came back

NORWICH.

back to Norwich. Some food was offered me at Panxworth, but I could not eat it. From the time we left Panxworth on Tuesday morning till Thursday morning (about 48 hours), we had only one meal of bread and cheese. When we were in the wherry I tried to escape. They pulled me back. I tried again to get away. They shut me in the hold and beat me with cudgels on the feet and other parts, and tore my coat off. They had used me so ill that I could not stand on my feet when we left the wherry, and they were obliged to carry me. We were taken back to Panxworth and discharged. I could not walk. They borrowed a pair of shoes from Mr. Hankes, which they told me belonged to Alderman Hankes. They carried me in a cart to the entrance of the city. I had then about two miles to walk. I was ill for a fortnight and not able to work. Mr. Nicholl, a surgeon attended me. I was obliged to have my stockings cut off."

Mr. *Nicholl*'s Evidence:—"I was requested to attend Ducker for some injury in the feet. I found him ill, and suffering considerably. He was under my care a week or a fortnight. He was confined to his bed some days. The injury had become severe from the want of earlier attention. It appeared to have been occasioned by violence. He was quite incapable of attending to his work for ten days or a fortnight. I cannot remember any other marks of violence about his person."

John Culyer's Evidence:—"On a Monday morning, about nine o'clock, I was going along St. John's-street, near my own house; Joseph Manning, a gardener, came and laid hold of me, and said I must go along with him. I said he had no business to make me go with him. He pulled me down on the pavement. Several others were near. I fell on my back. They drew me along the pavement by my feet. I think about 15 yards. My rupture, which had been kept up by a truss, came down while they were dragging me along. I have never been able to keep it up since. I suffered great pain at the time, and have, from time to time, ever since. They brought me to the Bakers' Arms. I begged them to let me go home. They said I should if I would stop a minute or two. They got a coach to the door, and then said that I might go. I went to the door. There was a guard on each side of the coach. They forced me into the coach; and took me to Panxworth Lion. I was confined there in a room littered with straw, and full of smoke, all that day. I was forced to fee them to let me have a little air. I sat up all night. I spent Tuesday there till ten o'clock at night. They then said that there was an order and two coaches to carry us to Norwich. They drove us to Ranworth Broad, and put us into a wherry. There were several more besides me. I begged hard not to be put in on account of my health. They said if I did not go in they would throw me into the wherry. They said that any one who would go home and vote for Angell should have money. I told them I would not vote for him if they would give me 100*l.* We were landed on Friday morning about eight o'clock. I was then 71 years of age. We were landed about eight miles from Norwich. A cart was at the place where we were landed. We rode in turn, and got to Norwich between one and two o'clock in the morning. Bell and Houghton were at Panxworth. Bell said I should go home, but not then. Houghton stood upon the land when I was put into the wherry. I was a freeman. The boat came at night near Alderman Hankes's house and remained there both nights. Cox told me they got orders where they lay at night, and received orders from there. Cox was one of the guards. Shalders and Ducker were in the wherry."

Mr. *Nicholl* said that he had attended Culyer and Ducker about the same time. That Culyer had previously been a patient of his. He was ruptured and wore a truss, and was in feeble health. He found, on visiting him, that the rupture had protruded. Culyer was in great pain, and his life was in danger. He could not return the rupture. The symptoms had been relieved, but the rupture could never be returned. Culyer now suffered pain from it. The protrusion might have been occasioned by his having been dragged along the pavement. He had no doubt that the protrusion had taken place some time before he was sent for.

Culyer was confined to his room when we were at Norwich, and could not give evidence in public. We therefore went to his house, and took the evidence there. It was given in a clear and collected manner, though he appeared to be labouring under great bodily infirmity.

The evidence of Mr. *Bell*, the coroner, was as follows:—"I was at Ranworth in 1827, at Alderman Hankes's and Mr. Kerrison's. There was a great deal of cooping. I saw a great bustle. Many Whigs and many Tories were there. I did not see a single freeman that I knew, except those who were at large walking about the road. I saw nobody in confinement. I heard of it. I saw persons in an adjoining room, at a public-house at Ranworth. There was a great number of people about the house. I had no doubt that the people were there against their will. I had come down from curiosity to see what the freemen were about. I had heard before I left Norwich that one party was imprisoning another. I was coroner at that time. I had not asked for a single vote. I was not one of Angell's committee. I cannot recollect whether I subscribed to the fund raised to secure his election. I think it probable that I did so. Ranworth is twelve miles or more from Norwich. I was disgusted at hearing about the cooping. I had nothing in particular to do. Hankes and myself talked together. I did not hear of the people having been taken and put into a wherry till after I had left Hankes. I did not see the wherry. I did not see Hankes after I had heard of it. I stayed up all night, walking about the road, and went into the public-house. I got back to Norwich by half after five in the morning. I cannot remember where Houghton took me from at Norwich. I believe we passed through Panxworth. I got out of the gig in the road.

road. I did not know that it was Panxworth. I did not know the road. I believe he got out, and went to the public-house at Panxworth. I cannot charge my memory. I did not see him for an hour. I saw him somewhere on the road, but I cannot say where. I saw Alderman Hankes at home in his own house at Ranworth in the evening, and I remained there about an hour. I discussed the election with him, and the cooping. Alderman Hankes took no part in the election. I heard nothing of the wherry till after my return to Norwich the next morning. Alderman Hankes said it was a great shame it was not put a stop to. I do not think I saw young Hankes at Ranworth. Alderman Hankes is a magistrate. I did not directly nor indirectly take any part in these transactions. I am quite sure that Alderman Hankes took no part in these transactions. I will not say positively that I did not go into the yard of a public house at Panxworth. I did not know that windows were taken out and bars put up. I walked from Panxworth to Ranworth. Houghton was there. I came back by the coach. I did not expect to come back with Houghton. It was not arranged by Angell's committee that I should go to Ranworth. I was never requested to go there till Houghton apprised me of it. I have no doubt that he was sent by Angell's committee. No intimation was made by Houghton to me of what the wishes of the committee were. I paid no expenses, nor my coach hire back. I have no doubt that they were paid by Angell's committee. I knew before I went down that Angell's party had hired coaches, and that I should be brought back free of expense. An application was made to me at Ranworth public-house to pay the expenses incurred there. I suppose the expenses of the freemen was meant. I told Mr. Staff that Angell's committee was liable to pay. I cannot recollect whether I said that I, as one of them, was not liable. I do not know who paid. I believe Alderman Hankes's house commands a complete view of Ranworth Broad. I should think the wherry might be seen at any part of the Broad from Hankes's house. I passed through the parish of Blofield in going to Ranworth. I did not go to any public-house where voters were cooped. I had no reason to believe that people were cooped there or in the adjoining parishes. I saw armed men with sticks, and wearing Gurney's colours. I knew nothing of men being sent from Ranworth to Blofield. I made no affidavit in answer to an application to the King's Bench. The coach was not under my direction.

Robert Alden gave Evidence in answer to Bell, as follows:—"I certainly saw Bell at the inn at Panxworth. He saw the window taken out and the bars put up. I called to him from the window. He looked at me and smiled. He was within a few yards of the window."

Bell then said:—"I cannot swear that I was not in the yard, but I do not recollect it. It is very unlikely that I should tell Culyer that he should go home, but not yet. I will not swear that I did not."

William Crowe deposed as follows:—"I live at Ranworth. I recollect Alderman Angell's election. I was employed to take care of some cooped men. A party who came down with the men took my craft by force. They were posse men. I was in bed when they came down. They brought it back. On Sunday Bell and Bayfield came over. They left money for me to pay the posse men. They both told me to make out my bill, and that Mr. Newton would pay me. I made out two bills. I applied to Newton, Kitton, Alderman Hankes and young Mr. Hankes. Newton said he had nothing to do with the party concerned, that he knew nothing about it, and would not pay. I had 5*l.* worth of grocery of Kitten on account. Hankes, jun. gave me 20*l.*, and Alderman Hankes 10*l.* I got nothing more. I applied to Mr. Kerrison to get the party together. Alderman Rackham, Alderman Hawkes and myself had an interview in Rackham's yard. Kerrison was there, and Alderman Crisp Brown. They asked me to take a part of the 40*l.* which was due to me. It was Hawkes who asked this. My original demand was 75*l.* 7*s.*, and the balance remaining unpaid was 40*l.* They offered me 20*l.* and said that they thought that my bill was enormous, and that in such concerns they were always imposed upon. Hankes and Brown thought I ought to be paid the whole amount. They then had a consultation among themselves, and offered me 20*l.* I have never received a farthing since. I have been sent from one to the other all over the town. Cox is one of the posse men. Alderman Hankes's house is opposite the middle of Ranworth Broad. The craft lay moored in the middle of the broad, exactly opposite his house, when the men were confined in it. Young Hankes managed the business. He gave me orders. Cox told me to let the men have what they wanted. Alderman Hankes talked to me, and inquired where the men were. The men were then in the craft at Horsey, another broad about ten miles distant from Hankes's house. The men were not released till a day and a night after my conversation with Alderman Hankes. When the men were landed I sent them to Norwich in carts at my own expense. Eleven persons were cooped. Shalders, one of them, was without shoes or a hat. Three or four hundred people were there."

Mr. *Roger Kerrison* said:—"Crowe applied to me. I spoke to Bayfield, who seemed to me to be the person liable to pay. He referred me to Rackham. I applied to several aldermen; they said there was no money to pay."

Crowe then gave further evidence, as follows:—"Crisp Brown had a malthouse at Ranworth. One of the maltsters in the wherry was his servant. He promised several times that he would endeavour to see me paid. He said he thought me badly treated. I sent meat, bread, beer, spirits and tobacco to the wherry. A comfortable breakfast was set out for them in the morning. There was meat enough to last them for ten hours. I sent bread and cheese in a cart to Horsey for them, and paid 6*l.* there. Two stone of meat and some bread were remaining in the wherry when they came back to Ranworth. I took it out myself. I told Crisp Brown that I understood that a note from him to me to receive the men had been left at Mingay's, and that I had received the men according to his directions. He

 acknowledged

acknowledged both the note and the debt, and frequently promised that I should be paid. This was a week after the transaction."

Edward Mingay's Evidence:—"I am a dealer in horses. I reside at Panxworth, and keep the Panxworth Lion. I had a letter from Alderman Crisp Brown to Mr. Crowe brought to me. The letter contained orders to Crowe to take care of the men. Bell and Bayfield were there. Bell came backward and forward with the men. He paid the posse men. He told me to let them have what they liked, but not to let it run too far. He was there on more than one occasion. I think the men were there from Saturday till Wednesday night. I recollect the window having been taken out. Bell saw it. I have no doubt that he ordered me to get the posse men. Bell and Bayfield were with the posse men. My bill was 103 *l.* odd. I received 25 *l.* from Mr. Kitton, the present master of the great hospital. Alderman Crisp Brown ordered me to go to Kitton for payment. I went to Alderman Brown several times. I showed him the letter, and asked if it was his handwriting. He said it was. I depended on him on account of the letter. He found no fault with my charges. I have been to Mr. Angell's about it. He said he had nothing to do with it, and that as he had laid out so much, the party must pay me."

The evidence of this witness was followed by the production, by Crowe, of the following note, written by Alderman C. Brown:

"Mr. Robert Crowe,

"Some friends of Mr. Angell will probably wish to take some refreshment at your house, and I wish to inform you I will be accountable for the expense.

"Yours, &c.

"Norwich, 8th Sept. 1827." "*Crisp Brown.*"

"Mr. Robert Crowe.

"(To be opened by Mr. Kerrison), Ranworth."

He also produced two lists; one of the persons detained at Panxworth, and the other of their keepers. The last list was written by Bell and Bayfield; and the former was found in a room in Crowe's house in which they had been paying the keepers, and on the same day. One of the keepers was in the employment of Alderman C. Brown, who was a magistrate at the time. Crowe added as follows: "I am not quite positive that three of the men worked for Kerrison. Eleven men were cooped. One of them got away. I cannot say how many posse men were in the wherry. I found provision for 57. I left the division of the food to a person named Samuel Brown. I was backwards and forwards in the wherry, and saw the cooped men eating several times."

Ducker, in answer to this, said: "We had only one meal during the time. I saw the posse men eating. They had the food. I don't recollect seeing any put before us."

Crowe said, "I carried a comfortable breakfast to them on the first morning. It was given to the cooped men."

Ducker denied this.

It appeared that Alden, who escaped from the wherry, on his return to Norwich, applied to the magistrates; informed them that the men were detained at Ranworth against their will, and gave them the names of the persons so detained. Some difficulty arose on account of the aldermen not being magistrates for the county of Norfolk, within which Ranworth is situated; but warrants were issued on the same day, and backed by the county magistrates, and the poll at the election was kept open till the next day, to allow time for executing the warrants; and for the persons detained to come back to vote. One of the aldermen said, that he had no doubt that the men were removed for the purpose of preventing the execution of the warrant. It does not appear that the magistrates pursued any further inquiry into the matter. Alderman Crisp Brown is dead. Aldermen Hankes and Hawkes and Eye (who is a sheriff's officer), and Bayfield refused to give evidence before us. The two aldermen joined in a remonstrance against the Municipal Inquiry.

An application was afterwards made to the Court of King's Bench, founded on an affidavit by Alden, Barnes, Ducker, Culver, Shalders and others, for a *quo warranto* against Alderman Angell, and a rule *Nisi* was obtained, on the ground that force and violence were used to prevent voters from attending at his election. The rule was discharged by consent. One of the aldermen stated that the attorney for Angell told him that the prosecutors had agreed to discharge the rule without argument; and he said that he would take time to consider whether he would communicate the cause which had been assigned to him for this agreement. He subsequently refused to give any further evidence, and joined in the remonstrance which has been mentioned.

We have given the circumstances of this case at length, on account of their great importance, as developing a mode of proceeding at elections, which is disgraceful to a civilized country. Whatever discrepancies may be found in the evidence as to other matters, no shadow of doubt can exist that these men were unlawfully seized by force, dragged from their houses, some of them at least injured in their persons, imprisoned for a long space of time, and deprived of the exercise of their elective franchise; and this without the slightest excuse or palliation on the part of those who were guilty of these enormities. Nor is it a slight aggravation of the outrage, that persons holding the stations of aldermen and magistrates were directing, aiding and abetting it, instead of protecting, as they were bound to do, the persons and liberties of their fellow-citizens.

Many other outrages took place at the same election. For two days previously to the election the city was in a state of great excitement and disorder, occasioned by large parties of men employed by each side going about the streets, molesting almost every person of the opposite

opposite party, and attacking freemen and entering into their dwelling-houses. On one occasion not finding a voter at home, they went to the house of his father-in-law, a mile from Norwich, and, in his absence, intruded themselves into every room in the house. The state of the city was such, as to render it unsafe for any one who took an active part on either side to put himself in the way of being intercepted by these bodies of men. There was danger in walking about the streets, especially after dusk. This is described by one of the magistrates as the ordinary state of the city during a contested local election.

The following is a case of cooping at the same election by the opposite (*i. e.* the blue) party. The committee of this party having heard that some of their friends had been taken away and confined, it was resolved to adopt the same system. A member of the committee, who was concerned in a business in which his father was a partner with Alderman Bolingbroke, offered the use of their warehouse for the purpose; and said at the same time that he should be able to make them comfortable there. The cooping commenced after midnight. Two persons only were brought in before four o'clock in the morning. On the proposer of this project mentioning to his father what had been done, the latter said, "You have let yourself into a very foolish thing, but as you have done so they shall have the best of treatment." Their physical wants indeed appear to have been well supplied. Alderman Bolingbroke was informed of this while he was sitting as a magistrate at the Town Hall. He expressed great concern that such an occurrence should have taken place on his premises, and immediately requested a solicitor in the city to go without loss of time and release the prisoners. He went, but found the place blocked up with people. After a second conference with the alderman, he procured a warrant from the mayor, went again to the premises, and the men were released. They said they had been very well treated and fed, and some seemed reluctant to go away. About two o'clock all were released: one of them, however, refused to leave the premises. The individual who proposed the capture said, that if he had seen a peace officer coming, he did not think he should have admitted him, knowing the officers to be partisans, and having never known the magistrates to interfere. If indeed he had produced a warrant, or satisfied him that he had the authority of the magistrates, he should have released the men; but he had never before heard of the magistrates interfering on such occasions. Alderman Booth, a magistrate, stated that he had himself on one occasion released freemen who had been cooped.

Political influence pervades the whole municipal system of this city.

Political influence in the admission of Freemen.

Admission to the freedom has been on many occasions refused on political grounds. In the year 1828 four individuals who had been refused admission as woollen manufacturers, under stat. 9, Geo. I. c. 9, obtained a rule for a *mandamus* from the Court of King's Bench, when the corporation, without opposing the rule, at once admitted them. In the same year six others applied to be admitted on the same ground. They were refused, and the reason given for the refusal was, that they were not woollen manufacturers, but no examination of their claims took place. They also obtained a rule for a mandamus, and were then admitted. Twelve others afterwards applied, all of whom were members of the blue party. The common council refused to go into the proof of their claims, but recommended that they should be admitted. The aldermen however, of whom a majority were of the opposite political party, refused either to examine their claims or to admit them. Three of the 12 were afterwards admitted. One of the aldermen told us that he had put it to the court that the Act for the admission of woollen manufacturers was imperative. He did not recollect that any objection was made to them on the ground of their not being woollen manufacturers; and he had no doubt that they were rejected on political grounds. No other evidence was given to account for the rejection without examination. Many applications for admission had been made by political opponents previously to the *mandamus*, and refused. Some of them were very large woollen manufacturers. This rejection is imputed by the town clerk, who was chamberlain at the time, to "a political bias."

On the other hand, many persons have been admitted by the chamberlain's council as woollen manufacturers under false and colourable invoices; and in some instances they were given by one of the alderman, who is a silk manufacturer. He states that he considered it "a fair *ruse*," and that others did the same thing. Bankers' clerks and attornies' clerks, he says, were admitted as woollen manufacturers, while some of the principal manufacturers in the city were refused admission. In most of these cases the applicants were political adherents of the council; but in a few cases political opponents have been admitted in the same way.

The present mayor, who is of the purple party, was summoned by the chamberlain's council to take up his freedom in the month of February 1830. At that time the majority of the common council were of the blue party. The claim was rejected. There is no doubt that the rejection was on political grounds.

The majority of the aldermen has at all times been of the purple party; but the blue party had at one time the ascendancy in the common council. The chamberlain's council being composed of four aldermen, and four common councilmen, and each chamber electing those whose political opinions agreed with the majority, the two parties were equally balanced in the chamberlain's council, and nothing could be done there except by arrangement between them. Several attempts at forming an arrangement failed. A commoner proposed that the blues should name twelve or six, and the aldermen the same number, but this was rejected by the aldermen. The commons then proposed that the mayor should be elected,

NORWICH.

they being allowed to elect one of two individuals named by them. This proposition was rejected by the aldermen who proposed to consider the case of the new mayor first. This was in turn rejected by the commons. As the aldermen held their seats for life, and the common council are elected every year, the former body probably looked forward to a favourable change in the latter; and in the following month the purple party became the majority of the common council, and have continued so ever since.

When a person who is summoned to take up his freedom carries on two trades, to one of which a higher fine on admission is attached than to the other, the rule is, that he is to pay the higher fine; but when the trade to which the lower fine attaches is his principal trade, the council have taken the lower only. This distinction has been made sometimes on personal and sometimes on political grounds.

Formerly, all traders who were not freemen were summoned to take up their freedom, and there is an order still in existence which requires that they should do so: it is not, however, acted upon. Since the practice of summoning all has been given up, a decided preference has been shown in summoning the political adherents of the corporation. During the period that the aldermen were of one political party and the common council of the other, the former refused to meet the common councilmen in the chamberlain's council to make a quorum for business, and consequently no freemen were admitted. Sometimes they agreed to meet, on the express condition that apprentices only should be proposed for admission to freedom. On one occasion the condition was, that a particular individual only should be admitted. It was stated to us by a member of the blue party, that from May 1827 to June 1833, the whole number of freemen summoned was 214; of which 39 were of the blue party, 158 of the purple, and 17 doubtful; that the average fine paid by those of the blue party was 17*l.* 6*s.* 4*d.*, and that of those of the purple, 9*l.* 0*s.* 6*d.*, and that there were as many blues compellable to be admitted as purples. These facts were not denied.

The leading object with both parties has been to admit as many as possible of their own party, and to exclude those of the opposite sentiments, and in pursuing this object it has been by no means unusual for either party to exercise an unjust preference.

Consequence o this on the character of the Corporate Body.

This partiality of the chamberlain's council in summoning traders to take up their freedom has had a considerable effect in giving to the corporation its present character. Had every trader been summoned without political distinction, the great majority of the respectable householders would have been included in the corporate body. As it is, nearly three-fourths of those who are assessed in the city are excluded from the franchise; and of those who are admitted, little more than a third are rated to the poor, while among those who are not rated, though resident in the city, a considerable number are paupers.

"I give you an instance," says a respectable inhabitant, "how the present system works in my own particular case. I have been more than thirty years a householder; in that time I have paid, perhaps, from 600*l.* to 800*l.* in poor's rates, and I have had no more share, privilege or influence in the management of the affairs of this city, in which I have had so deep an interest, than if I was a Hottentot; whilst multitudes, who have never paid a farthing to the expenses of the city, or who, perhaps, have been receiving parish allowance, or have been even inmates of the workhouse, have been constantly called to vote for all its magistrates, and have, besides being flattered and bribed, had the management, apparently, of all the concerns of this great city in their hands. Not that this is really the case; for this pauperized and degraded multitude is, after all, nothing but a set of instruments in the hands of a local and commercial oligarchy, to effect their own purposes of interest and ambition."

It is calculated that the number of freemen resident in the city is about 2,676; the number residing within seven miles, 76; and the number residing beyond seven miles, 760: that of the 2,676 residents from 300 to 350 are paupers, and that more than 1,100 are not rated. Among those who are excluded from the corporate body, but now admitted as voters under the Reform Act, are 1,017 householders and 749 freeholders, all resident in the city.

Political influence in appointing Committees.

Another important function of the corporation, which is exercised entirely under the influence of political preference, is the appointment of Committees for the management of the business of the corporation. A great majority of the members are always selected from the supporters of that party which is predominant in the assembly. They are often continued from year to year; but each party, on gaining the ascendancy, has turned out its political opponents.

The purples have always formed the majority of the aldermen, and they have regularly chosen the aldermen of their own party as members of the more important committees, from which those of the blue party have been excluded. A few of the aldermen belonging to the blue party have been appointed members of the less important ones, which have little or no patronage to exercise. A solitary instance was mentioned of an alderman of this party having for many years been a member of one of the more important committees, and the present town clerk, who had supported that party, was appointed to his office at a period when their opponents had the majority in both chambers. Since the purple party has been predominant in the common council they have there acted in the same way. The blue interest has generally prevailed in the northern ward; and only one member of the committees resides within that ward. About two years ago the purples became the predominant party in that ward, and immediately more members from the northern ward appeared on the committees. The blue party, during the period when they formed the majority of the council, chose all the members of the committees from their own party.

It was clearly established, by evidence, that a preference is given in the employment of tradesmen by the different committees to those whose political sentiments are in unison with their own. No Whig tradesman has been employed by the Hospital committee since the Tories gained the ascendancy.

Political preference in the employment of tradesmen by the committees.

In the year 1829 a tailor, who had previously worked for the hospital, and whose work had been approved of, tendered to make clothes for the inmates at 8 *s.* a suit; and in November 1833, he again tendered at 7 *s.* a suit. Both tenders were refused, and the price paid was 8 *s.* 6 *d.* a suit The person making those tenders was a freeman, and had been in the habit of giving his vote for the blue candidates. One of the aldermen, who is treasurer of the Great Hospital and a member of the committee, admitted that the acceptance of tenders is influenced by the politics of the parties who make them.

There is a regulation which forbids members from being employed as tradesmen by the committees to which they belong. This rule, however, has been violated on several occasions.

Political preference in leasing a farm.

A farm had been held under Doughty's hospital by different members of the same family for a century. The tenant dying a year before the expiration of a lease for 14 years, bequeathed the lease to his nephew. The latter applied for a renewal, and tendered the sum of 270 *l.* yearly rent. Another person tendered 275 *l.*, but that tender was not known to the tenant in possession. On his becoming acquainted with it he tendered 285 *l.*, but was told that it was too late, as the tender of 275 *l.* had been accepted. The brother of the new tenant was a common councilman and a supporter of the purple party. The new tenant himself was a voter for the county of Norfolk, and had voted at the county election for a candidate of similar political sentiments.

It is admitted, by aldermen of both parties, that the tenant was ill-treated in this matter. Alderman Bolingbroke, who is attached to the blue party, says, I was told by Alderman Day that, at the time the tenders were made, a communication was made from a certain individual in the committee-room to the present tenant, recommending him to tender 5 *l.* more than he had tendered in the first instance, and that this fact was well known to many of his friends. Alderman Day, who is in the purple interest, says, I recollect this conversation, but I did not mention the name of the individual by whom the communication was made, nor would I reveal it if I knew it. This was denied by Alderman Bolingbroke, who said that Alderman Day had mentioned the name of Mr. Cooper, at that time a member of the committee. Mr. Cooper did not attend the Municipal Inquiry, but was among those who signed a remonstrance against it. Alderman Day also joined in the remonstrance.

Political influence in the choice of Judicial Functionaries and Juries.

The Sheriffs, who are not only the returning officers of the city, but also judges of its civil court, are chosen under the influence of the same party spirit as the committees; and whether chosen by the freemen or by the court of aldermen, the same spirit directs the choice. In the former case there is even more bribery than at the ward elections; and as the magistrates do not consider themselves precluded by their official oath from interfering in the election of these functionaries, they sanction and encourage this bribery by subscribing, without scruple, to the funds employed for the purpose.

We insert here, with reference to this interference of Aldermen in elections, a part of the Oath.

"Item, That none of the four and twenty aldermen shall from this time forth work, nor cause to be wrought by himself, nor in any other manner of means in his name, among the common people of the city, *stirring nor exciting no manner of persons to be chosen to any office that may touch governance of the city*, nor for any other matter touching common governance for himself, nor for any other person. So that the said officer may be peaceably chosen without colour of maintenance. And such of them as do the contrary of this in form aforesaid, witnessed or proved, for to pay one hundred shillings in supportation of the walls of this city for his default."

This is considered to apply to the election of aldermen, but not to the election of sheriffs. No reason was assigned for the distinction.

The following is an instance of bribery by a magistrate at a contest for this office previous to the last general election. The bribe in this case was the promise of a place in the hospital; the evidence for the fact is the admission of the magistrate himself before a Committee of the House of Commons. This admission is attested by Mr. Couzens, who attended the Committee throughout their investigation. Mr. Couzens states, that Alderman Francis, on his examination before the Committee, acknowledged that he had given a note to a freeman promising to get his daughter into the hospital; that the note was given for his vote; that the vote was to be given at the election of a Sheriff for the city; that before he gave this note, a similar one, which purported to have been given by another alderman of the opposite party, was shown to him; that it contained an additional promise to grant a weekly pension until there was a vacancy in the hospital; and that the voter who showed him this note required a similar promise, which he declined to give. The name of this freeman was Hornigold.

Alderman Francis refused to give evidence before the Municipal Commission, and he is one of those who joined in the remonstrance against the Municipal Inquiry. His reason for refusing is stated in the following letter:—"As I am neither treasurer or lessee under the corporation, nor yet on any important committee, without any want of loyalty to my Sovereign, or respect to you, I decline attending under the present Commission."

NORWICH.

The other alderman, whose hospital note was referred to in the evidence, does not deny that he had given such notes upon other occasions, but not, he says, since he became an alderman.

In selecting the Court Sheriff, the rule of rotation, which is observed by the aldermen in the case of political adherents, is departed from in the case of political opponents, and in one instance only has an alderman of the blue party been appointed in his turn. The character of their last appointment will appear from the following circumstances:—At the general election a number of voters in the purple interest assumed to act as a committee for securing the return of the sitting members. A placard was placed in the window of a house in St. Stephen's, where the purple party met, stating that the committee sat there daily. Another placard was placed on the door: "Private Committee Room. W. J. Utten Brown, Chairman of the Committee." Canvassing notes were sent to the voters, dated "Committee Room," and signed by Lord Stormont, one of the candidates. Addresses to the voters were published in the Norwich paper, and signed by the chairman of the committee. Circulars were issued with the name of the chairman affixed. A letter was addressed by the same individual to the editor of the Norwich Mercury, and signed by him as "Chairman of the Committee."

When the bribery at this election afterwards became the ground of a petition to the House of Commons, Mr. W. J. Utten Brown, as well as Alderman Francis, was examined as a witness; and he then stated upon oath, that he was not chairman of any election committee, nor did such a committee exist. This evidence is also attested by Mr. Couzens, who was present when it was given. A few months afterwards Mr. Brown was selected by the court of aldermen as the court sheriff for the ensuing year.

The mode of reconciling his evidence in London with the character he had publicly assumed at Norwich is this: the room called the committee-room it is said was occupied by the whole party; and the whole party acted together. Mr. Brown presided at their meetings as chairman; but there was no definite or select number forming a committee.

He declined to attend the Municipal Inquiry, and protested against the Commission as "a process unknown to the law of England, and eminently hostile to public liberty. In times like the present," he observes, "it is a paramount obligation on the subjects of these realms, especially when charged with official responsibility, to vindicate the integrity of the ancient laws, and to protect from invasion the inalienable rights and privileges which those laws confer, and which are the best security of the Crown and the most valuable inheritance of the people." He was joined in this protest by his colleague, and their officers were forbidden to furnish "any information relative to the constitution of the sheriffs' court, the fees therein received, or any other matter within their province."

These Officers are chosen on the same principle as the Sheriffs themselves, and are discharged on a change of party. The character of some of the persons chosen has appeared from the acts of violence in which they were engaged, under the direction of the coroner, a the election of a magistrate in 1827.

But it is not only in the appointment of the ministerial officers of their own court that the party character of the sheriffs appears. In the criminal court it is transferred to the Grand Jury, which they select. The following instance was adduced, as one of recent occurrence, to show the effect of this political constitution of the jury. A bill was presented against the rioters at the last election, when the booth of the purple party was pulled down. The jury had been selected in the Blue interest, and the bill was ignored. It was then carried to the assizes, and a true bill was found.

When the sheriffs are of opposite sides, and a grand jury is selected without party preponderance, other causes of the same nature interfere with the local administration of justice.

Mr. Staff, a solicitor in the city, states, that the political bias of the municipal magistracy creates distrust, no less than the political constitution of the jury; and that both the one and the other lead to the removal of prosecutions from their court. Such are the present divisions in the city, that where the corporation is concerned, there is a difficulty in finding a petty jury to try the question fairly. He gave the following instance: At the Epiphany Sessions of 1831, a true bill was found against Alderman Turner and others, for bribery at a local election. The sheriffs at that time were of different parties, and consequently the grand jury was selected from both in equal proportions. Alderman Turner wished to be tried by the corporation magistracy at the same sessions. This was objected to by the professional advisers of the prosecution, on the ground that the jury had been discharged. They put it to the court whether they would try it, intending to remove the prosecution into another court. The recorder said he should try it, and ordered another jury to be summoned. A precept came to himself, being then under-sheriff, to summon this jury; and he had considerable difficulty, he says, in finding twenty-four persons sufficiently free from political bias to try the question fairly. On the following morning the recorder declined to proceed, and the prosecution was removed.

Mr. Palmer, a barrister practising at the City Sessions, and who was counsel for the prosecution, states, that he observed upon this occasion a great muster of magistrates in the purple and orange interest, some of whom were not accustomed to attend the sessions; and that, before the bill was found, frequent notes were passing in the court between the magistrates and Alderman Turner. It was by his advice that the prosecutors applied for a *certiorari*. After the removal to a superior court, the matter was compromised with Alderman Turner, who paid 50*l.* and costs to stop the prosecution. Mr. Palmer adds, that he sees the influence of party spirit throughout the administration of justice. He is himself politically connected

connected with the blue party. It is admitted by Alderman Turner, who is of the purple party, that he paid 50 *l.* with costs for the purpose stated by Mr. Palmer.

"Every public question in Norwich," says an inhabitant, who for many years was a deacon of the independents, "is considered with reference to the elections. When a proposition was made, some time ago, concerning the prosecution of felons, one of the magistrates (Alderman Rigby, now deceased) said to me, 'Your object is good, but you can never effect it in this city; because every rogue is either a blue or a purple, and his party make it a point of honour to bring him off if possible.' This observation, he adds, was made some years ago; but there is still much truth in it. I do not mean to censure the magistrates; but I mean to say that party feeling throws great difficulties in their way, in the administration of justice."

The same influence extends from the criminal court to the Court of Conscience, where the aldermen and common councilmen are commissioners. A member of the council in the blue interest, and well acquainted with the court, states that the commissioners are canvassed to attend by their political supporters. The registrar of the court, who is in the purple interest, says that he has seen very little political feeling; but on two occasions, when there were divisions in the court, the blues were on one side, and the purples on the other.

Arrangement respecting the office of Sword Bearer.

The office of Sword-Bearer, which is one of importance connected with the administration of justice, and from which considerable emoluments are derived, was, some years ago, the subject of an arrangement between the mayor and another magistrate for political purposes. The mayor was requested to continue the sword-bearer in office, which is the usual course. He refused to do so, unless he could get some remuneration for his political friends. It was then agreed between the mayor and an alderman, who was the father-in-law of the sword-bearer, that the latter should allow the mayor to have his hospital patronage for the year, on condition of his continuing the sword-bearer in his office.

Political influence in appointing inferior officers.

Undeviating consistency marks the proceedings of the political parties at Norwich. No sooner does a member of the corporation attain its highest dignity than he proceeds to distribute his patronage among the members of his party, giving a natural preference to those who have been most active and efficient. Indeed the tyranny of party over individual inclination appears to be complete and irresistible. A freeman of the blue party, who held an inferior office under the mayor, applied to an alderman of the other party, who had been elected mayor, to be continued in his employment. The answer was, that if he (the mayor) had a will of his own he would appoint two of each party; but that he could not do so, and that he must discharge all belonging to the blue party. The applicant was restored to his office in a subsequent year, when a member of his own party became mayor, and again turned out by a succeeding mayor of the purple party. We must not omit to state that in one instance an individual of superior intelligence, though of different politics from those of the mayor for the time being, has been continued in office.

Consequent inefficiency of the Police.

It is not surprising that, under such a system, the police of the city should prove inefficient. Great complaints were made by several individuals upon this subject, and facts were in proof before us, clearly showing that these complaints were well founded. Divided, as almost the whole population of Norwich appears to be, into two political parties, and stimulated and excited by the utmost virulence of party spirit, it could not reasonably be expected that a police should be found within the city which would impartially perform its duty in seasons of political agitation. In the selection of officers of police, however, it does not appear that the constituted authorities have availed themselves of the best materials which the city afforded. Nothing indeed seems to have been thought of but the support and strengthening of the dominant party. The most active and stirring partizans have been selected to maintain order; and the consequence has been what might easily have been foreseen.

At an election of Members for the city in 1830, the mayor had ordered the ward constables to attend on the under sheriffs. When called upon to act by one of the under sheriffs, they all refused to do so. No reason was given for refusing; but it is supposed that they were offended by the appointment of special constables.

A gentleman who has several times served the office of under sheriff said that the constables had on many occasions either refused to act, or acted improperly and partially. He was under sheriff at the last election; and he said that the constables had then acted partially. We will here state the substance of what was said by this gentleman respecting the conduct of the police, premising that he is a member of the blue party. An attack had been made on the booth of the purple party, which was pulled down and burned. Some persons were apprehended in consequence, who were all of the blue party; but he believed that some of the purples had been concerned in burning their own booth. That was not the only outrage which was committed. If respectable men of each party had been selected to preserve the peace, those riotous proceedings might have been prevented. Fifty resolute men could have prevented the attack on the booth. The sheriff's posse men were from 400 to 700 in number, and were armed with staves. They were paid for by the candidates, through the sheriffs, who, on that account, permitted the candidates or their committees to appoint one-half each. At the time of the attack on the booth, about 150 of the posse men were in the market-place, where the election took place. Chains were put up in this market-place to divide the two parties; and if the posse men had even stood still the attack, he said, would have been prevented; but, with few exceptions, they ran away. He had no doubt that the posse men assisted in destroying the booth. One of the sheriffs had been injured by a stone;

NORWICH.

a stone; but not many stones were thrown before the men ran away. He thought that in general the class of men selected for the police were unfit for the office; some were too old, some too feeble, and the greatest objection was their want of experience. It was not easy to find a policeman in the streets. Property was pretty well protected in the city; but persons in large business had protectors of their own.

The sheriff at the time of this riot in 1830 stated that when he called on the posse assist him, the reply was, "I am an orange and purple; you must ask a blue and white to assist you;" the rioters were then pulling down the hustings.

The chamberlain said that a riot could not at any time be quelled in the city without the assistance of the military; and that on several occasions they had been called in. He afterwards qualified this by saying, that it depended on the nature and extent of the riot.

Serious riots took place some time ago in consequence of a reduction in the rate of wages by some of the manufacturers. One of the principal manufacturers, Mr. Wright, lost an eye from vitriol thrown in his face. Another did not leave his house for nearly a fortnight, from apprehension of danger. Although the reduction of wages was made with the concurrence of a large majority of the trade, the alarm created by the attack on Mr. Wright was such, that the others would not acknowledge their concurrence. The magistrates rendered what assistance they could, but the police was quite inefficient.

The character of that part of the police establishment which consists of the ward constables is to be ascribed, in a considerable degree, to the political partiality evinced in their appointment. "Unless," said one of the witnesses, "a man is an active partizan, he has no more chance of being a ward constable than of being mayor." The same individual stated that he had been a paving commissioner since the passing of the Act which establishes a night watch; that 15 or 16 years ago, the appointment of the watchmen, which is vested by the Act in the commissioners, was given up to the magistrates; that political partizans were immediately appointed, an efficient superintendent discharged, and a most inefficient person substituted in his place. This continued for a year, when the commissioners resumed the appointment.

The officers of the police who are employed in immediate attendance on the mayor and magistrates do their duty efficiently.

Political and personal influence in the exercise of Patronage and in the administration of Charities.

The exercise of Patronage for election purposes has already been exemplified in the hospital notes given to voters. The mayor states that it would be impossible, in the city of Norwich, to exercise patronage on any other principle than that of political partisanship. Of the 24 aldermen in whom the patronage is vested, 15, he says are of one party, and nine of the other; and their appointments are made in exactly the same proportion, 15-24ths in favour of one party, and 9-24ths in favour of the other. The inmates of the Great Hospital have been introduced as the political supporters of the aldermen; and there is no instance within his knowledge of a political opponent being selected. No improper persons, he adds, have been admitted, though it is probable that the same individuals would not have been selected but for their votes. In cases of a pressing nature the aldermen exchange their turns, and the exchanges are made as well with political opponents as with others.

The subserviency of Charity Funds and Revenues to political purposes is proved, as well by the use which is made of the city money, as by the use which is made of the hospitals and it is further illustrated in the following instance:—

The corporation are trustees of certain premises bequeathed for the maintenance of two poo weavers, to be chosen out of Fybridge ward, and who were to be recommended by the warden of the Worsted Weaver's company, which no longer exists. When the last vacancy occurred, a poor weaver living in the ward was proposed to the assembly, and rejected. Anothe. individual, neither living in the ward nor a weaver, was proposed and appointed. The firs was a voter in the blue interest, the other in the opposite interest. "The last," says a member of the council, "was either proposed or seconded by me. He was preferred, because he was an orange and purple. I do not disguise the fact."

Another example adduced by one of the aldermen was this: The corporation hold a certain property in trust for five widows. No widows are appointed as objects of the charity, and a part of the property is occupied by "marketable voters." The town clerk observed, that this matter had been investigated by the Charity Commissioners.

In this and other instances, the property and patronage entrusted to the corporation for purposes of charity, have been rendered subservient to the purposes of party. In those which follow, individual members of the Court of Aldermen have had a personal interest in the disposal of both. It may be premised, however, that these individuals are all connected with the purple party.

The first is a payment out of the hospital funds, for the benefit of an alderman, who was a member of the hospital committee, and a tenant of hospital property. A lease of certain premises was granted to the alderman, with a covenant to repair. Repairs were done to the premises by his own order, and paid for by the committee out of the funds of the institution. The irregularity of the payment is not disputed. A member of the committee says, in explanation, that it was the fault of the town clerk, whose duty it was to see that the hospital funds were liable. The town clerk throws the blame on the steward, who ought not, he says, to have allowed the bills to pass. The steward says, that after superintending the repairs he examined the bills, and finding the charges reasonable, he passed them without enquiring into the liability for payment. This was no part of his duty. Another tenant who obtained a lease at the same time, and on the same terms as the

alderman

alderman, observing that these repairs were done to the adjoining premises under the inspection of the corporation surveyor, asked the surveyor why the same repairs were not done to his own. He was told in reply, that he was not an alderman. This was said "in a joking sort of a way."

The next instance presents an additional charge on the Hospital revenues, to provide for an increase of salary granted on the appointment of an alderman's son to the office of chaplain. This increase was refused to his immediate predecessor in the office, and when granted to himself, there was an express provision that it should not be drawn into a precedent for his successor. The appointment was made in 1825, and the stipend, which was then 50*l.* a year, was incressed to 200*l.* a year.

A note was added to the resolution of the assembly for increasing the stipend:

"This stipend to continue only during the incumbency of the present chaplain."

The following facts and opinions were given in explanation, on the part of the corporation.

The chamberlain says that the assembly refused to raise the salary of their former incumbent, because he was a man of property and performed the duty inefficiently. The perpetual curacy of St. Helen's is attached to this chaplaincy; but the parish contains only eight or ten rate-payers, and the population in 1831 was only 521. Alderman Booth states that great attention is required from the clergyman in the hospital, which contains 176 persons, whose ages average about 72, and he does not consider that the present incumbent is paid more than a reasonable compensation. There is no church in the adjoining hamlet of Thorpe, and many of its inhabitants attend the service performed by the chaplain. He considers the joint duties of the chaplain to be about as onerous as those of the curate of Costessy, who is also appointed by the court of aldermen. The stipend of this curate is 100*l.* a year, and no house is provided. The chaplain, in addition to the 200*l.* a year, has a house provided for him. He denies that he was influenced in voting for the increased salary by the chaplain's connexions in the corporation. Alderman Finch, who imputes the increased salary partly to friendship and partly to corporate connexion, says that he voted for a less sum, but "they wished to make it rather a good thing." The house is worth from 40*l.* to 50*l.* a year, and he thought 150*l.* a year was a sufficient salary.

On referring to the charter of Edward the Sixth, by which the hospital was established, it appeared that a house was to be provided for the chaplain, and that a salary of 6*l.* 13*s.* 4*d.* was to be paid to him. The number of the inmates in the hospital at that time was 40.

The chaplain is personally connected with two members of the court, in which the patronage is vested. He is the son of one of the members and the brother of another. His predecessor, who had applied for an increase and was refused, was not personally connected with any of the aldermen.

It appears that out of 11 ecclesiastical appointments entrusted to the court of aldermen, four have been given to relations of the aldermen.

In the large balances which are allowed to accumulate in the hands of the treasurer, before any investment takes place, we find other instances of personal advantages allowed to members of the court of aldermen, at the expense of the hospital funds. How far they may be considered a fair, though an indirect remuneration for official services, will be determined by the facts. Each fund has a distinct treasurer, and each treasurer is an alderman. During the last 14 years the average balance in the hands of Alderman Harvey, the treasurer of the Great Hospital, and one of the managing committee, is calculated by him at 1,800*l.* Interest is allowed upon these balances by the bankers, and appropriated by the respective treasurers.

Alderman Harvey states, that he offered the Great Hospital account to a banker in the city, intending to give the charity the benefit of the interest; and that more than one banker had declined the account: that he employs a clerk, and for some time paid him five per cent. on the balances, receiving himself only two per cent.: that the remaining three per cent. he has paid out of his own pocket: that the Charity Commissioners had expressed their entire approbation of the mode of conducting the charity: and then any member of the corporation, or any respectable person may inspect the books. He gives security for 5,000*l.*, and has the power of making any use he pleases of the balances. The town clerk said, that the Charity Commissioners had examined the accounts minutely, and expressed a very favourable opinion.

Alderman Day, another of the treasurers, who gives security for 2,000*l.*, considers that he would not be justified in using the charity money: he represents his average balance to be 1,000*l.*

Former political influence in the management of the poor.

As long as the management of the Poor was under the control of the corporation, the same election influence prevailed in the administration of this trust, which still directs the exercise of the hospital patronage. Notes were then given for the workhouse similar to those which are still given for the hospital, and allowances were made to voters till they could be admitted. Part of this workhouse, which was originally an infirmary for the sick and the old, became a receptacle for freemen and their relations, who were neither sick nor old, but earning wages as regular labourers; and voters, without any claim to parochial relief, were maintained out of the poor rates.

These abuses only ceased when the management was transferred from the corporation to a body of guardians elected by the rate-payers. Since this transfer, the rates have been reduced, and it is admitted by both parties that the management is much improved, the arrangement of the workhouse better, the expenses of maintenance less, and the accounts more regularly kept; at the same time, a better provision is made for the poor.

NORWICH.
State of the city.
Effects of the system on the general character of the freemen.

We shall state, in conclusion, the sentiments of many respectable and intelligent persons as to the effects of the proceedings which we have described on the character and condition of the inhabitants of the city.

A banker, among many other observations, expressed himself as follows: "The sin, guilt, misery, wretchedness and poverty, which our system of municipal elections inflicts on this city, the Commissioners can have no conception of. Both parties, to my knowledge, are equally guilty, and wherever the managers of the system find a purse, they fly to it as an eagle does to a carcase." He added that in his opinion the magistrates had acted impartially, and had not been influenced by party distinctions. Patronage had been used for party purposes, but he did not think that improper persons had been admitted into the hospitals.

A manufacturer, who carries on business on a large scale, stated that he considered the effects of the elections to be demoralizing, and very injurious to the interests of the workmen, by making them idle. Every influential man in the city was so connected with party, that he dared not take a different course from what was agreeable to the general feeling of the workmen, many of whom are voters. The first object with most people was to secure all the influence they could at the elections; and the employment of labour was made a party matter, by employing workmen of one party only. He thought that the manufacturers were deterred from employing their capital in the most beneficial manner, by fear of unpopularity among their workmen. New capital would be attracted to Norwich by a better mode of doing business; but in fact capital had been lost or attracted elsewhere. Many articles might be manufactured at Norwich to as much advantage as at any place in the kingdom, but trade had been gradually leaving the city. Workmen were frequently out of employment; and he did not think, on the whole, that any money had been made by manufacturing for the last fifteen years. He imputed these evils, in a great measure, to a plan adopted at Norwich, and to his knowledge no where else, of paying a fixed rate of wages, in the silk and worsted manufactures. He did not think the wages paid too high, but they were invariable; and no manufacturer could deviate from the practice, without exposing himself to great annoyance. "I should think," said he, "both my person and property exposed to risk, if I ventured to alter the fixed rate of wages."

When a reduction was once attempted by the firm in which he was a partner, he had confined himself to his house for nearly a fortnight from apprehension of danger, and his premises had been guarded by special constables for several weeks. He thought the introduction of fluctuating wages would bring in capital enough to employ all the workmen in the city. He observed that the workmen, who were not freemen, were the most industrious; and that those who take bribes were the most idle. Many influential persons, he added, entertain the same opinions, without daring to avow them.

Another manufacturer said, that trade had been materially injured during the last eight years by disunion among the persons concerned in business; that the journeymen were frequently irregular in their work for two months previously to a ward election. Those elections had produced, at brisk periods of business, the greatest injury to trade, as it was impossible to induce the men to work while the excitement was going on, and idleness and intoxication generally prevailed.

A third manufacturer said, that if the local elections were to be conducted as they had been for the last 10 or 15 years, any government would be preferable.

A gentleman of superior intelligence stated that he had been a common councilman from 1808 to 1810. He had witnessed the origin of the present system of corruption. It began in another ward, but on its extending to that by which he was elected, he had declined coming forward again as a candidate for the office of common councilman, as he could not have obtained the office without resorting to corrupt practices. From 1810 till 1827 he had no connexion with the corporation, but was elected a common councilman in that year for the purpose of taking the office of speaker of the commons; which office he held from 1828 to 1830. "I was," said he, "the first to denounce the system and to predict its effects. I never took part in the local elections, except sometimes nominating a friend. When I agreed to be speaker, I said that nothing should induce me to take part in the ward elections. I did not take any part in them. I consider that the general character of the inhabitants has been deteriorated, and that a great demoralization has been produced by these elections. The character of the corporation has been much affected by it. I think people come into the corporation for their own private advancement. The magistrates are less respected on account of the system. I know that intelligent and respectable persons are deterred from offering themselves as members of the corporation. Persons of both parties have so stated to me. The police is almost always placed in the hands of violent partisans. There are some exceptions. The inhabitants do not enjoy the protection they have a right to expect. I hear the same sentiments as mine freely and almost universally expressed in my intercourse with society. There has been a general perversion of patronage to support party and particular interests. I know that tradesman have joined the corporation for the purpose of being employed by them. Tradesmen themselves have told me so."

The editor of one of the Norwich papers told us that he had resided in and near Norwich all his lifetime; and that his memory went back 50 years. "My general impression," he said, "is, that the prosperity of the city and the private intercourses of society are all poisoned by party spirit, engendered at the municipal elections. I attribute these consequences to their frequency, and the nature of the constituency. We have three elections every year, and there is no cooling time. During the cleansing week (the period

of

NORWICH.

of the ward elections) the city is in a state of intoxication. I cannot express strongly enough my sense of the ill effects of the system on the morals, trade and society of the city. I think the police very inefficient. I believe the magistrates are perfectly upright; but they are often put in painful situations"

Other witnesses expressed sentiments very similar to those which have been stated.

The effects of the system on the character of the freemen are thus attested by one who has been for many years actively engaged in the local elections. "The tendency of this bribery on the freemen is most debasing. I have known several persons who have for years withstood the offers made at elections. When once they have fallen into the snare their whole conduct has changed. Like all first steps, it has led to something worse. In very few cases have the large sums given been of any benefit to the freemen. It has been generally quite the contrary. The same effect may be seen both in the giver and the receiver. I have been deeply engaged myself in the traffic, but I should be sorry to bring up my children in the same way."

Respectable inhabitants are deterred from offering themselves as candidates for the corporate offices. "If respectable persons," says the mayor, "would offer themselves as candidates, it would repress the excesses which sometimes take place." The consequence of their not doing so is, that the magisterial and other municipal duties are committed to an inferior class of functionaries, who are ill qualified to perform them, and whose official privileges are employed to uphold a system from which they derive their personal importance.

Proposed improvements.

The great evils arising from the present mode of elections appear to be universally acknowledged; but much difference of opinion exists among the respectable and intelligent inhabitants of the city as to the remedies. Some appear to think the evil so inveterate that nothing short of a complete abolition of these elections can cure the existing mischiefs. The election of nominees seem to be very generally disapproved of; and some attribute the whole evil to this cause. Many urge objections to the frequent returns of elections, and to the inferior station and poverty of a large proportion of the voters. The preponderance of opinion appeared to be in favour of abolishing the nominees, and putting either the 10*l.* householders, or those who pay rates, in the place of the freemen as voters.

The mayor was of opinion that the substitution of a 10*l.* constituency would not be found effective. The law against bribery, he says, must be rendered more accessible, and both the giver and receiver should be punished, the former by fine and imprisonment, and the latter by the loss of his vote. "In the Mancroft ward," he added, "where the principal inhabitants reside, I have never heard of bribery."

On the subject of the magistracy, he complained that although non-resident aldermen have publicly declared that they would not attend to their municipal duties, the governing body has no power to deprive them of their office.

Memorial.

A Memorial was presented to us, signed by 440 freemen and inhabitants, suggesting the following alterations in the elective system of the corporation:

1st. That the resident freemen ought to retain the right to vote at municipal elections, and that every male inhabitant householder, above the age of 21 years, and who pays a rental of not less than 5*l.* per annum, and who resides within the jurisdiction of the same civil authorities, ought to be incorporated in the future list of municipal voters.

2d. That the excessive bribery and other abuses which prevail at the local elections generally, actually and positively require that the vote by ballot should be substituted as a corrective of the abuses complained of.

3d. That the annual election of the common council, which now takes place by wards, and occupies four days, might be consummated in one day, by incorporating the said wards. That the election of aldermen ought to be by the free choice of the citizens over whom an alderman when he becomes mayor is the chief functionary; and that the aldermen should be elected for a period not exceeding seven years.

4th. That at every contested municipal election, whether for the common council, aldermen, mayor, or sheriffs, the entire body of voters, as before recommended, ought to possess a legal right to exercise the franchise.

Sheriff's letter, and Remonstrance against the Municipal Inquiry.

On our arrival in Norwich we received a letter from the sheriffs, which has already been adverted to, in which they declined to attend the Municipal Inquiry, or to permit their officers to furnish us with any information; and some days afterwards, a remonstrance and complaint against the mode in which the inquiry had been conducted was presented to us, signed by seven aldermen and many common councilmen. To these were added some private communications of the same nature from three of the aldermen. Neither delay nor inconvenience, to any considerable extent, resulted from these proceedings, as the mayor, several of the aldermen, the town clerk, and other officers of the corporation, willingly assisted. The whole proceedings, under the Commission, took place in the presence of a large body of the inhabitants.

Size, population, &c.

The city of Norwich and county of the city contain 6,550 acres. The population was in—

1801	36,832
1811	37,256
1821	50,288
1831	61,116

NORWICH.

Of whom 27,761 were males, and 33,355 females.

Families employed in agriculture	529
trade and manufactures	9,153
not comprized in above classes	4,848

Annual value of real property in 1815, exclusive of the precinct of the cathedral and the bishop's palace, 106,400*l.* The property is considered to be of the same value at present.

Assessed taxes for years ending 5th April—

	£.	s.	d.
1829	16,123	16	5 ¼
1830	15,889	2	3
1831	15,550	18	3 ½
1832	15,628	—	7

Parochial assessment for years ending 25th March—

1825	20,860	17	8
1829	21,677	6	1
1833 (ending at Christmas)	22,766	16	4

Number of occupations of houses, warehouses and gardens in 1833:—

£.10 and under £.20 rent	2,151
£.20 „ £.40	844
£.40 and upwards	583
	3,578

Number of Electors registered under the Reform Act in 1832:—

Freemen	2,420
Freeholders	775
£.10 occupiers	1,043
	4,238

From this number must be deducted 94, whose names are inserted in the register in two, and in some instances in all three classes as freemen, freeholders and occupiers.

Precinct of the cathedral:—

Annual value of real property, 1833	£.3,000
Parochial assessments	£.1,751
Number of houses	93.
Bishop's palace, annual value	£.200

Local Acts.

The following is a Schedule of the dates and titles of the local Acts of Parliament, relating to the municipal government or local taxation of the city and county of Norwich:

12 & 13 William III. c. 7. 1701. "An Act for erecting a Court of Request or Conscience in the city and county of the city of Norwich for Recovery of Small Debts under 40*s.*"

9 George I. c. 9. 1722. "An Act for the better qualifying the Manufacturers of Stuffs and Yarn in the city of Norwich and liberties thereof, to bear offices of Magistracy, and for regulating the Elections of such offices."

12 George I. c. 15. 1726. "An Act for repairing the Walls, Gates and other Public Works in the city of Norwich, and several Bridges in and near the said city, and for amending the Roads therein mentioned."

3 George II. c. 8. 1729. "An Act for the better regulating of Elections in the city of Norwich, and for preserving the peace, good order and government of the city."

12 George III. c. 14. 1772. "An Act for clearing, depthening, repairing, maintaining and improving the Haven and Piers of Great Yarmouth, and for depthening and making more navigable the several Rivers emptying themselves into the said Haven, and for preserving Ships wintering therein from accidents by fire."

25 George III. c. 36. 1785. "An Act for building a New Bridge over the Haven of Great Yarmouth, and for enlarging the term and altering some of the powers of an Act of the twelfth year of his present Majesty, for clearing, depthening, repairing, maintaining and improving the Haven and Piers of Great Yarmouth, and for depthening and making more navigable the several Rivers emptying themselves into the said Haven, and for preserving Ships wintering therein from accidents by fire."

31 George III. c. 56. "An Act more effectually to prevent abuses and frauds committed by persons employed in the manufacture and combing of Wool and Worsted Yarn in the county of Norfolk and city of Norwich, and county of the said city."

40 George III. 1800. "An Act for continuing for a further term of twenty-one years, and from thence to the end of the then next session of Parliament, the term of two Acts, one made in the twelfth and the other in the twenty-fifth year of the reign of his present Majesty, for clearing, depthening, repairing, maintaining and improving the Haven and Piers of Great Yarmouth, and for depthening and making more navigable the several Rivers emptying themselves into the said Haven, and preserving Ships wintering therein from accidents by fire; and also for building a New Bridge over the Haven of Great Yarmouth, and for altering and enlarging the powers thereof, so far as the same relate to the said Haven and Piers."

46 George III. 1806. "An Act for better paving, lighting, cleansing, watching and otherwise improving the city of Norwich."

6 George IV. 1825. "An Act for amending and enlarging an Act of his late Majesty, for better paving, lighting, cleansing, watching and otherwise improving the city of Norwich."

2 William IV. 1831. "An Act for the better Management of the Poor in the several parishes and hamlets in the city of Norwich and county of the same city."

We send the following Documents with the Report:— Documents.

1. Copy of the Charter 15 Car. II.
2. Copy of Charter Philip and Mary, as to the Bounds of the City.
3. Return of the Names, &c. of the Mayor, Recorder, Steward and Aldermen.
4. List of the Common Councilmen for 1833.
5. Account of Fees taken at the Sessions.
6. Account of Annnal Income and Expenditure, 1829.
7. Account of the Property and Debts of the Corporation.
8. Chamberlain's Account from April 1832 to April 1833.
9. Account of the Corporation Livings.
10. Abstract of the Account of the City Treasurer.
11. Haven and Pier Account, from 12 June 1832 to 11 June 1833.
12. Tonnage Account from April 1832 to April 1833.
13. Amount of the City Money.
14. Account of the Four Hospitals.
15. Remonstrance and Complaint of Magistrates, Aldermen and Common Councilmen.

George Long.
John Buckle.

APPENDIX TO REPORT

ON THE

CITY OF NORWICH.

APPENDIX TO REPORT

ON THE

CITY OF NORWICH.

This Appendix presents the existing state both of the City and of the Corporate Body, considered with reference to numbers, property and local taxation.

1. The Population of the city is 61,116, and of this number 27,757 are males. They are distributed into 14,574 families, of which 529 are employed in Agriculture, and 9,153 in Trade.

The number of Houses is 14,201, of which 13,132 are inhabited, and 1,069 are not inhabited. Of the 13,132 inhabited houses, 4,525 are rated to the poor, and may be classified thus:—

1,271	rated under 10*l.* a year.
1,978	„ at 10*l.* a year and under 20*l.* a year.
768	„ at 20*l.* a year and under 40*l.* a year.
508	„ at 40*l.* a year and upwards.
4,525	

The number of Rated Inhabitants is 4,539,* and their aggregate Assessments in the city amount to 25,541*l.* These assessments are calculated on about one-fifth of the annual value of Property; and they regulate all taxation for local purposes.

The number of voters registered as Householders under the Reform Act is 930; and the number registered as Freeholders 725.

The number of Paupers in the city is 8,433.

2. The present number of registered Freemen is 2,316; of whom 2,221 reside in the city, 22 in the precincts, and 73 in the country within seven miles.

Of these 2,221 residents in the city, 1,123 are not rated to the poor.

The aggregate Assessments on the 1,098, who are rated, amount to 7,316*l.* 10*s.* and they may be distributed into the following classes, with reference to the amount of thei assessments:—

Number of Freemen.	RENTS.	Amount of Assessments. £.	s.	d.
205	Under 10*l.* a year	241	10	–
433	10*l.* a year and under 20*l.* a year	1,300	–	–
233	20*l.* a year and under 40*l.* a year	1,483	–	–
227	40*l.* a year and upwards	4,292	–	–
1,098	£.	7,316	10	–

In addition to the 1,123 freemen, who are registered without being rated, about 315 are Paupers.

The number of non-residents, beyond seven miles, is not accurately known, but calculated to be 760.

3. By a comparison of the statistical facts which are presented in the two previous sections, we obtain the following proofs and illustrations of the extent to which the exclusion from municipal rights and privileges prevails, under the existing constitution of the city.

Out of 4,539 Rated Inhabitants, 3,441 are excluded from the Corporate Body.

Of the 1,271, whose rents are under 10*l.* a year, 1,066 are excluded from the Corporate Body.

Of 1,978, whose rents are 10*l.* a year and under 20*l.* a year, 1,545 are excluded from the Corporate Body.

Of 768, whose rents are 20*l.* a year and under 40*l.* a year, 535 are excluded from the Corporate Body.

Of 508, whose rents are 40*l.* a year and upwards, 281 are excluded from the Corporate Body.

Out of 25,541*l.*, the total Assessments on the Inhabitants of the city, 18,224*l.* 10*s.* are Assessments on those who are excluded from the Corporate Body.

Contrasted

* This number includes Trustees and Females.

Contrasted with these results are the following:—

Little less than one-fourth of the whole corporate body are not resident either within the city or within seven miles.

Of the freemen who are resident in the city, or within seven miles, a considerable majority are not rate-payers.

Of those who are not rated more than one-fifth, and of the whole body of residents more than one-ninth, are paupers.

The Tables which follow are official Returns for every district of the city.

The first Table shows the population of each parish and hamlet in the city and county of the city; the number of males; the number of houses inhabited and uninhabited; and the number of families, distinguishing those which are occupied in agriculture and trade.

PARISHES and HAMLETS.	Inhabited Houses.	By Families occupied.	Houses building.	Uninhabited Houses.	Families in Agriculture.	Families in Trade.	Other Families.	Males.	Females.	TOTAL. 1831.
St. Peter Southgate	152	154	–	17	3	151	- -	301	326	627
St. Etheldred	59	66	–	- -	- -	50	16	117	151	268
St. Julian	231	270	–	19	7	131	132	500	569	1,069
St. Peter per Mountergate	449	530	–	21	8	304	218	878	1,097	1,975
St. John Sepulchre	401	443	–	17	5	323	115	847	985	1,832
St. Michael at Thorn	456	482	1	12	- -	292	190	943	1,105	2,048
St. John Timberhill	275	287	–	13	5	164	118	475	580	1,055
All Saints	148	176	–	4	9	90	77	308	384	692
St. Stephen	909	953	2	80	34	455	464	1,826	2,284	4,110
St. Peter Mancroft	510	575	–	80	- -	415	160	1,251	1,650	2,901
St. Giles	339	386	2	19	- -	293	93	633	962	1,595
St. Benedict	287	349	–	9	- -	255	94	698	726	1,424
St. Swithin	210	236	–	9	- -	162	74	408	462	870
St. Margaret	174	234	3	8	1	132	101	406	462	868
St. Lawrence	214	254	–	9	1	164	89	465	543	1,008
St. Gregory	209	249	4	23	2	137	110	503	601	1,104
St. John Maddermarket	165	209	1	22	- -	106	103	368	446	814
St. Andrew	207	230	1	12	- -	175	55	568	729	1,297
St. Michael at Plea	72	76	–	7	- -	46	30	136	223	359
St. Peter Hungate	93	115	–	6	- -	84	4	231	291	522
St. Simon and Jude	91	103	–	3	- -	74	29	200	246	446
St. George Tombland	147	164	–	9	- -	96	68	295	415	710
St. Martin at Palace	266	294	–	44	- -	203	91	566	661	1,227
St. Helen	63	81	–	- -	5	47	29	243	278	521
St. Michael Coslany	257	315	3	22	6	202	107	550	652	1,202
St. Mary	316	340	–	28	3	333	4	621	741	1,361
St. Martin at Oak	514	645	–	35	- -	423	222	1,185	1,339	2,524
St. Augustine	447	492	–	48	- -	361	131	907	1,115	2,022
St. George Colegate	310	345	–	32	4	213	127	654	859	1,513
St. Clement	588	632	4	65	1	198	433	1,250	1,517	2,767
St. Edmund	173	197	1	12	1	146	50	334	408	762
St. Saviour	335	377	–	13	1	314	62	644	842	1,486
St. Paul	562	620	4	49	14	329	277	1,157	1,250	2,407
St. James	322	364	–	40	16	196	148	629	670	1,299
HAMLETS:										
Pockthorpe	344	457	–	41	41	229	187	772	897	1,669
Heigham	1,246	1,254	32	78	66	1,051	137	2,584	2,911	5,495
Lakenham	917	923	–	114	120	519	284	1,764	2,046	3,810
Eaton	103	113	1	15	49	22	42	250	279	529
Earlham	18	18	–	- -	14	2	2	56	47	103
Hellesden	78	81	–	3	37	32	- -	177	205	382
Thorpe, Norwich, part of	244	250	8	13	42	149	59	560	651	1,211
Trowse, Carrow and Bracondale	133	137	–	15	31	71	35	254	353	607
The Town Close	- -	- -	–	- -	- -	- -	- -	6	8	14
Precinct of the Close	98	98	–	3	3	14	81	221	390	611
TOTAL	13,132	14,574	67	1,069	529	9,153	4,848	27,757	33,355	61,116

The next Table shows the number of houses rated in each parish and hamlet; distinguishing those which are valued under 10*l.* a year; those which are valued at 10*l.* and under 20*l.* a year; at 20*l.* and under 40*l.* a year; at 40*l.* and upwards.

NORWICH.

PARISHES and HAMLETS.	Rated Houses.	Under £.10 a year.	£.10 and under £.20.	£.20 and under £.40.	£.40 and upwards.	Houses not rated.
St. Peter Southgate	31	5	15	6	5	
St. Etheldred	12	- -	8	2	4	
St. Julian	34	14	14	4	2	
St. Peter per Mountergate	132	36	78	9	9	
St. John Sepulchre	100	44	43	8	5	
St. Michael at Thorn	103	56	40	6	1	
St. John Timberhill	89	23	49	16	1	
All Saints	67	18	29	15	5	
St. Stephen	393	82	174	90	47	
St Peter of Mancroft	406	38	136	110	122	
St. Giles	176	40	61	45	30	
St. Benedict	66	21	36	7	2	
St. Swithin	51	20	19	7	5	
St. Margaret	56	26	23	5	2	
St. Lawrence	108	43	48	13	4	
St. Gregory	131	32	60	27	12	
St, John of Maddermarket	98	8	44	35	11	
St. Andrew	166	14	62	46	44	
St. Michael at Plea	68	7	26	17	18	
St. Peter at Hungate	51	21	22	8	- -	
St. Simon	34	4	20	6	4	
St. George of Tombland	103	13	36	29	25	
St. Martin at Palace	68	22	33	15	- -	
St. Helen	13	3	6	2	2	9,676
St. Michael at Coslany	93	14	60	15	4	
St. Mary	85	31	35	15	4	
St. Martin at Oak	94	46	45	1	2	
St. Augustine	146	64	63	12	7	
St. George of Colegate	173	42	83	37	11	
St. Clement	138	25	66	33	14	
St. Edmund	37	9	23	3	2	
St. Saviour	114	24	62	21	7	
St. Paul	108	52	54	1	1	
St. James	60	40	20	- -	- -	
HAMLETS:						
Pockthorpe	65	29	28	5	3	
Heigham	341	129	177	23	12	
Lakenham	301	150	110	18	23	
Eaton	48	3	17	15	13	
Earlham	16	3	1	2	10	
Hellesdon	31	2	7	9	13	
Thorpe	69	13	25	18	13	
Trowse, Carrow and Bracondale	45	5	20	12	8	
Town Close	- -	-	- -	- -	- -	
Precincts of the Close	- -	- -	- -	- -	- -	
TOTAL	4,525	1,271	1,978	768	508	

A third

A third Table shows the number of Freemen registered in the city of Norwich for 1834, distinguishing those who are rated; the number whose rent is under 10 *l.*; the number whose rent is 10 *l.* and under 20 *l.*; the number whose rent is 20 *l.* and under 40 *l.*; and the number whose rent is 40 *l.* and upwards.

Freemen Registered.		PARISHES.	Number of Freemen.	NUMBER OF FREEMEN RATED.				Not Rated.
Householders.	Freeholders.			Rent under 10 *l.*	Rent 10 *l.* and under 20 *l.*	Rent 20 *l.* and under 40 *l.*	Rent 40 *l.* and upwards.	
		All Saints	28	2	9	3	2	12
		Etheldred	8	-	1	-	1	6
		Sepulchre	56	7	12	3	3	31
2	-	Timberhill	53	5	10	8	1	29
1	-	Julian	21	4	3	1	1	12
1	1	Thorn	67	10	14	-	1	42
		Mountergate	73	10	20	5	1	37
1	-	Southgate	20	1	5	1	3	10
		Trowse, Carrow and Bracondale	7	-	1	4	1	1
1	1	Lakenham	79	11	15	5	12	36
1	1	Giles	61	8	11	11	11	20
5	-	Mancroft	165	2	38	31	47	47
2	2	Stephen	143	5	32	24	26	56
		Eaton	7	-	2	3	2	-
	1	Andrew	76	-	16	11	19	30
		Benedict	45	4	8	1	1	31
	2	Tombland	48	1	7	13	7	20
	1	Gregory	64	5	14	8	8	29
		Helen	54	-	2	-	2	50
		Maddermarket	47	1	11	10	5	20
	1	Lawrence	64	9	12	7	4	32
	1	Margaret	52	7	8	3	-	34
		Palace	65	5	9	8	3	40
1	-	Plea	25	2	2	5	11	5
		Hungate	26	4	8	5	-	9
		Simon and Jude	24	-	7	1	2	14
	1	Swithin	32	6	4	-	2	20
	1	Heigham	216	21	35	10	10	140
		Earlham	3	1	-	-	1	1
		Augustine	76	15	20	6	1	34
		Clement	66	3	12	9	6	36
		Edmund	29	3	9	-	1	16
1	1	Colegate	96	11	19	15	9	42
	1	James	22	4	4	1	-	13
		Oak	48	4	5	2	-	37
		Mary	36	5	5	3	3	20
		Coslany	39	4	9	3	1	22
		Paul	53	11	8	2	1	30
		Saviour	73	5	17	4	7	40
	1	Pockthorpe	24	6	2	2	1	13
3	1	Thorpe	21	1	4	3	7	6
		Hellesden	4	2	1	-	1	-
		Residents in the precincts and county who are rated for property in the city of Norwich	5	-	1	2	2	-
		In Norwich	2,221	205	433	233	227	1,123
1	1	Precincts	22					
	2	Country within 7 miles	73					
20	19	Total Freemen registered 1834	2,316					

Of the 2,316 freemen registered 1834, 20 appear on the register also as householders and 19 also as freeholders.

The fourth Table shows the number of Voters registered under the Reform Act, distinguishing the Freemen, the Householders and the Freeholders.

YEAR.	Freemen.	Householders.	Freeholders.	Total Constituency.
1832 - -	2,420	1,043	775	4,328
1833 - -	2,373	990	758	4,121
1834 - -	2,316	967	735	4,018

In each of these years a certain number of voters have been doubly registered. The numbers have been as follows:

YEAR.	Freemen doubly registered.	Householders doubly registered.	Freeholders doubly registered.	Total Number doubly registered.
1832 - -	52	35	7	94
1833 - -	28	28	10	66
1834 - -	39	37	10	86

The last Table illustrates the progress of the City during the 20 years ending in 1831.

Year.	Population.		Inhabited Houses.		Families employed in Agriculture.		Families employed in Trade and Manufacture.		Families not comprised in the two previous Classes.	
	Total.	Increase.	Total.	Increase.	Total.	Decrease.	Total.	Decrease.	Total.	Increase.
1811	37,256	- -	8,336							
1821	50,288	13,032	10,031	1,695	626	- -	9,783	- -	2,062	–
1831	61,116	10,828	13,132	3,101	529	97	9,153	630	4,848	2,786

1835. *John Buckle.*

REPORT

ON THE

BOROUGH OF ORFORD,

(SUFFOLK.)

CONTENTS.

	Page
I. Limits, Extent and Population	2509
II. Incorporation and Charters	2509
40 Hen. III. June 8	2509
40 Hen. III. June 12	2509
19 Edward II.	2509
21 Elizabeth	2509
3 James I.	2509
4 Will. III.	2509
III. Corporate Body and Constitution	2509
Title	2509
Enumeration of Officers and Freemen	2509
Official Body	2509
1. Officers composing the Ruling Body	2510
Mayor	2510
Portmen, Capital Burgesses } the Commonalty	2510
2. Constitutional Powers of the Ruling Body	2511
3. Officers solely Judicial or Ministerial	2511
Recorder	2511
Town Clerk	2511
Coroner	2511
Chamberlain	2511
Serjeants-at-Mace	2512
Claviger	2512
Harbour Master	2512
Water Bailiffs	2512
Constables	2512
Pinder	2512
4. Freemen	2512
IV. Jurisdiction, Extent	2512
Magistracy	2512
Courts	2512
1. Sessions	2512
2. Civil	2512
Police	2513
Gaol	2513
Licenses	2513
V. Property	2513
Lands occupied by the Marquis of Hertford	2513
Mill and Cottages	2513
Fishery	2513
Port Dues	2513
Income	2513
Charge	2513
Expenditure	2513
Audit	2513
Alienations	2514
VI. State of the Town	2514
Population	2514
Houses, Families and Occupations	2514
Property	2514
Local Taxation	2514
VII. Summary and Observations	2514
Documents	2515

BOROUGH OF ORFORD,

I.

LIMITS, Extent and Population.

THE Borough of Orford is co-extensive with the town and parish of Orford, and comprises about 2,740 English statute acres, with a population of 1,302 inhabitants.

II.

INCORPORATION and CHARTERS.

Orford claims to be a borough by prescription.

The earliest Charters known to the resident corporate officers were granted by Hen. III. in the 40th year of his reign.

By one of these charters, dated the 8th of June, the "honest men of Orford," and their goods, were exempted from arrest for debts in all cases where the principal debtors and sureties were not extant, unless the debtors should happen to be members of their society, having goods in common, whereby the debt might be satisfied. 40 Hen. III. June 8.

In a second charter, dated the 12th of June, the town of Orford, with its mill and marshes, saving only the royal castle, was granted to the same "honest men," to hold of the Crown, at a fee-farm rent of 30*l.* a year. At the same time was granted a merchant guild, with acquittance of toll throughout the kingdom, the return of the King's writs within the town, and the privilege that none should be impleaded without the precincts for lands and tenements within. 40 Hen. III. June 12.

The acquittance of custom was again granted and confirmed to the burgesses of the town by Edw. II. in the 19th year of his reign. 19 Edw. II.

These privileges were successively confirmed by charters of

Edw. III.	dated	3d February,	in the	26th	year of his reign.
Ric. II.	„	14th February	„	1st -	ditto.
Edw. IV.	„	14th January	„	19th -	ditto.
Hen. VIII.	„	16th June	„	2d -	ditto.
Edw. VI.	„	25th June	„	1st -	ditto.

In the time of Queen Elizabeth, the town was in a state of great ruin and decay, and the queen, on the petition of the burgesses, granted them a new charter. 21 Eliz.

The occasion of the new charter is thus described:—"Considering that our aforesaid town of Oreford is an ancient town corporate, and that the same town is in great ruin and decay, and for the upholding and maintaining of great charges and expenses which they do from time to time endure, and in time are very likely to be constrained more and more to sustain and abide, and we being willing that a double manner in the same town may be had for the keeping of our peace and the rule and government of our people there abiding and inhabiting, and that the same town, in perpetual time to come, may be and remain a town of peace and quiet, to the fear and terror of wicked men, and for a reward of good men; and also that our peace and other deeds of justice, without any evasion of further delay, may be there kept and done." With this view, the Burgesses and other Inhabitants were incorporated under their present name and constitution.

The letters patent are dated 7th July, A. R. 21.

The charter of Elizabeth was confirmed by an inspeximus of James I., dated the 2d of May, in the third year of his reign; and afterwards by William III. A. R. 4. 3 James I. 4 Will. III.

III.

CORPORATE BODY and its CONSTITUTION.

The persons incorporated by the governing charter are, "The Burgesses and other Inhabitants of the Town of Orford."

Their corporate Title is, "The Mayor and Commonalty of the Borough of Orford, in the County of Suffolk." Title.

The Officers named in the charter are,— Enumeration of Officers and Freemen.

A Mayor,
Eight Portmen, } the Ruling Body.
Twelve Capital Burgesses,
A Recorder,
A Town Clerk,
A Coroner,
A Chamberlain,
Two Serjeants-at-Mace.

ORFORD.

Other corporate officers not named in the charter are,—

A Claviger,
Two Water Bailiffs,
A Harbour Master,
Three Constables,
A Pinder.

Besides the officers, there are two Freemen not holding office, who are both resident.

The functionaries composing the Ruling Body are, the mayor, portmen and capital burgesses.

1. Officers composing the Ruling Body.

Mayor.

The Mayor is annually elected by the inhabitants of the borough, from two persons nominated by a majority of the capital burgesses. The portmen only are eligible as nominees, and, after serving the office, they become ineligible to serve again for the four following years. The election takes place on the Monday before the Feast of St. Michael the Archangel.

In case of the death or removal of the mayor before the expiration of his year of office, another may be nominated and elected in the same way, for the remainder of the year.

All the inhabitants paying scot and lot have a vote in the election of the mayor, and about 50 or 60 are said to be generally present. The election is never contested, and may be considered a mere matter of form, in which the electors take little or no interest. The inauguration is celebrated by a dinner given, at the expense of the corporate funds, to a select body of the inhabitants.

The mayor is the chief magistrate of the borough, and, by the constitution, a judge of the civil court, and clerk of the market.

His elective functions, and those which he exercises as a constituent part of the ruling body, will appear in the sequel of the report.

He is also an *ex officio* commissioner of the level of Orford and Sudbourne.

Neither salary nor emolument is attached to the office.
The gentleman now filling it is a resident merchant, and the proprietor of one of four public-houses, licensed by the local magistrates. It is only during the last three years that the chief magistrate has been resident in the borough.

Portmen.

The Portmen are elected for life by a majority of the mayor and portmen.

The charter requires them to be inhabitants of the borough, and they are subject to removal, as well for non-residence as for misbehaviour. In practice, they are chosen, not from the inhabitants, but from the capital burgesses; and though non-resident, they are never removed.

They are exclusively eligible to the offices of chief magistrate and coroner.

The charter directs that one of the "eldest" shall be annually chosen by the mayor and themselves as an assistant justice of the peace.
It appears, however, that two of them act as magistrates, and these are the two junior portmen, elected in 1830. The one is a surgeon, and at the present time one of the bailiffs of Aldeburgh; the other exercises no profession or trade: both are resident.

The remaining six portmen are,—

The Honourable Lord George Seymour, elected in 1794.
The Marquis of Hertford, elected in 1801.
Sir George Francis Seymour, K. C. B., elected in 1822.
Horace Beauchamp Seymour Seymour, esq., elected on the same day.
The Right honourable J. Wilson Croker, also elected on the same day.
Henry Meynell, esq., residing in London, and elected in 1830.

These are all non-resident. They pay scot and lot in the borough, which is considered a sufficient qualification for office.

All are members of the corporation of Aldeburgh, and, with one exception, members of its governing body.

Capital Burgesses.

The Capital Burgesses are elected for life, by a majority of the mayor and portmen. The charter requires that, like the portmen, they should be chosen from the inhabitants of the town; and, when elected, makes them removable for the same causes—non-residence or misbehaviour. In practice, like the portmen, they are not chosen from the inhabitants, and the non-residents are not removed.

They nominate the mayor, and are alone eligible to the office of portman. They are also a constituent part of the commonalty.

The

The present capital burgesses are—

The Right honourable the Earl of Yarmouth.
George Henry Seymour, esq.
The Solicitor of the Marquis of Hertford.
The Superintendent of the Marquis of Hertford's estates.
A former Steward of the Marquis of Hertford.
The Town Clerk.
The Collector of Customs at Aldeburgh.
The Chamberlain of Aldeburgh.
A gentleman residing in the county.
A surgeon of Saxmundham, in the county.
A gentleman residing in Orford.
Lyndon Evelyn, esq., whose residence is unknown in the borough.

Of the 11 capital burgesses therefore two only are resident. Five are members of the corporation of Aldeburgh.

2. The Ruling Body.

The portmen and capital burgesses form the Commonalty of the borough. The mayor and commonalty constitute the Ruling Body.

They have power given to them, by the charter of Elizabeth, to enact Laws and Ordinances for the government of all the inhabitants, and of all victuallers coming within the town; for the maintenance of the fishery; and for the management of the corporate property. They have also power to enforce these laws by such fines and imprisonments as they may judge necessary; and all offenders against them are to be tried by a jury of the men of the borough, in its own civil court of record.

The exercise of the legislative power is now confined to the enactment of orders for the regulation of the fishery; and these orders are made by the mayor and portmen alone, who have usurped this, and all other functions of the ruling body. They elect the officers, create the freemen, and dispose of the corporate property.

The charter gives the power of imposing a fine of 40*l.* on persons refusing to serve any other corporate office than that of recorder or town clerk. It is never imposed.

3. Officers solely Judicial and Ministerial.

Recorder.

The power of appointing a Recorder is given, by the charter, to the mayor and commonalty, but it is exercised by the mayor and portmen, and the appointment is during their pleasure.

He is a magistrate of the borough, and presides at the sessions.

The charter requires that he shall be "an honest and discreet man learned in the laws," and when the borough was newly incorporated by Queen Elizabeth, she appointed her attorney-general to fill this office. The present recorder is the solicitor of the Marquis of Hertford, and a capital burgess, as well of this corporation, as of the corporation of Aldeburgh. He was appointed in 1830 to succeed a recorder, who is said to have been an "honest and discreet man," but was probably not learned in the laws, as he was neither a barrister nor a solicitor.

He has the privilege of appointing a deputy, who also becomes a magistrate. No deputy has been appointed.

Town Clerk.

The appointment of the Town Clerk, or common clerk of the borough, is also given by the charter to the mayor and commonalty. It is made by the mayor and portmen. The appointment is for life, subject to amotion by them.

He is clerk of the peace, and formerly acted as registrar of the court of record. He is not clerk to the magistrates, nor have they any clerk.

His salary is 4*l.* 4*s.* per annum, and he is entitled to fees both on the admission of freemen and on the election of members of the corporation. The emoluments of the office are estimated at 20*l.* per annum.

The present town clerk is a solicitor residing in Ipswich. He is also a capital burges of this borough, and fills the same two offices in the corporation of Aldeburgh.

Coroner.

The Coroner is annually elected from the portmen by the mayor and portmen. The electors appointed by the charter are the mayor and commonalty.

He has the exclusive right of holding inquests within the borough, and receives the statutable fees.

The same individual is usually selected from year to year.

Chamberlain.

The Chamberlain, claviger and other officers are annually appointed by the mayor and portmen; the chamberlain and claviger are selected from their own body, and the inferior officers from the inhabitants of the town.

ORFORD.

The chamberlain is the treasurer and accountant of the corporation. He is appointed by the charter to collect, by himself or deputy, the tolls of the market granted to them for the use of the borough. The tolls however are no longer collected.

He is entitled to some trifling fees on the grant of licenses to fish or dredge within the corporate limits.

Serjeants at Mace.

The Serjeants at Mace are the official attendants on the mayor, to execute his warrants and orders. They formerly executed the process of the borough court of record.

They each receive 1*l.* 6*s.* per annum, and small fees on the admission of freemen or members.

Claviger.

The Claviger is the keeper of the corporation records. He has no emoluments.

Harbour Master.

The Harbour Master has the superintendence of the harbour. He is allowed half the fees paid by vessels anchoring within its limits, and the privilege of dredging for oysters.

The present harbour master has been 14 years in office, but has never rendered any account of his receipts.

Water Bailiffs.

The Water Bailiffs are appointed to regulate the position of vessels in the river.

They each receive 2*l.* per annum, and 1*s.* 4*d.* for every strange vessel anchoring in the river.

Constables.

The Constables each receive 1*l.* per annum, and constitute the police of the town.

Pinder.

The Pinder impounds all stray cattle within the borough, and receives 1*l.* per annum.

4. Freemen.

In this borough all are Honorary Freemen, and the franchise is in practice conferred, not by the ruling body, but by the mayor and portmen alone, assembled at a great court. It has been confined to the friends of the Patron, who are only admitted for the purpose of filling up vacancies in the integral parts of the corporate body. At present there are two not holding office.

It is matter of tradition, that formerly there was a large body of freemen; but during the last century the number has continued nearly the same as at present.

Privileges of the Freemen.

While this was a parliamentary borough, the right of voting was in the freemen. Their exclusive privileges now are, exemptions from customary tolls, and from serving as jurors out of the borough.

The only privilege which the incorporated Inhabitants exercise under their charters, is the choice of a chief magistrate from two nominees of the capital burgesses—persons who for the most part are strangers to themselves, and their town.

IV. JURISDICTION.

The Criminal Jurisdiction of the borough is exclusive, both by charter and in practice. The civil jurisdiction is obsolete.

Magistracy.

The Magistracy consists of the mayor, the recorder, and the senior portman. In practice the corporation have substituted a junior for the eldest portman, and have added a fourth magistrate.

Local Courts.

The borough courts established by the charter are,

1. A Court of Sessions.
2. A Civil Court of Record.

1. Sessions.

Two Sessions of the Peace are required to be held every year before the mayor, the recorder or his deputy, and the eldest portman, or any two of them, the recorder being one. This court has cognizance of all felonies committed within the borough, except such as touch the loss of life or member, which cannot be tried without the special warrant of the King.

The juries are empannelled by the town clerk, as clerk of the peace.

The last borough sessions were held in Michaelmas 1832, when a case of felony was tried, and the felon was convicted. Previous to that time, they had not been held for many years.

All serious offences are sent to the assizes.

Petty Sessions.

Petty Sessions are held for licensing, and for the appointment of overseers. (*See* "Licenses.")

2. Civil Court.

A Civil Court of Record is established by the charter, to be held once a fortnight before the mayor, recorder, and three portmen, or any two of them, the mayor being one; and to have cognizance of all pleas, real, personal and mixed, where the cause of action arises within the borough. Its process was directed, in the name of the mayor, to the serjeants at mace, with the teste of the town clerk.

There is no record of any proceedings in this court for more than a century, and all civil actions are now tried at Ipswich.

The

The Police consists of two constables; and for the purpose of keeping away vagrants, an extra constable has recently been appointed. This force is found sufficient to preserve the peace of the borough, and it is many years since special constables have been sworn. Police.

There is no night watch.

The borough gaol, is occasionally used; but commitments for any serious offences are made to the gaol of the county. Gaol.

The management of the Poor is not in the hands of the corporation. Poor.

There are four public-houses within the precincts, which are licensed by the borough magistrates. One of the four belongs to the present mayor. Licenses.

V. PROPERTY.

The town of Orford, with its mill and marshes, saving the castle, was granted to the "honest men of Orford," by the second charter of Henry III. Besides the lordship of the soil, the corporation property now consists of 48 acres of land, a messuage and mill, and two cottages, all within the borough.

Thirty acres of marsh land are occupied by the Marquis of Hertford, one of the portmen, who pays a rent of 45*l.* a year. This is stated to be a fair rent, but as the land has never been exposed to public competition, the inhabitants have had no opportunity of fixing its market value. Lands occupied by the Marquis of Hertford.

The Messuage and Mill, with 18 acres of land, are let for 30 years from 1812, at 41*l.* a year. Mill.

The two Cottages, which are worth about 6*l.* a year, are occupied by poor persons, rent free. Cottages.

An exclusive right of fishing in the river Ore, within the precincts of the borough, is claimed by the corporation, and they grant licenses to the town fishermen, which produce about 10*l.* a year. This source of income has considerably diminished. Fishery.

Dues are levied in the port of Aldeburgh under the authority, though without the knowledge, of this corporation. They form no part of its revenue, nor was the chamberlain or any other resident officer aware of the corporate rights. The amount is inconsiderable, as may be seen in the following Table: Port Dues.

DESCRIPTION OF DUES.	Produce of Duty in the Years		
	1830.	1831.	1832.
	£. s. d.	£. s. d.	£. s. d.
Beaconage on all Vessels belonging to the Port, and all Strangers entering the Harbour -	12 - -	11 18 -	12 2 -
Groundage on all Vessels not belonging to the Port entering the Harbour - - -	3 19 6	4 6 6	4 4 -
Wharfage on all Vessels delivering or landing a Cargo at the Quay - - - - -	21 5 -	19 15 -	18 10 -
£.	37 4 6	35 19 6	34 16 -

These sums have never been accounted for to the corporation; but they are said to be applied in remunerating the harbour-master, and in defraying the expense of repairs to the beacons and quay.

The whole Income derived from the sources enumerated, is rather less than 100*l.* a year. Income.

The only Charge on this property is the fee-farm rent of 30*l.* a year due to the Crown; and this has not been paid within living memory. Charge on Income.

In the Expenditure of the last year the two principal sums are, 30*l.* for an entertainment given on the day of the mayor's inauguration; and 25*l.* 10*s.* the cost of erecting a town pump, for the use of which a small rent is collected from the inhabitants. The whole expenditure was 88*l.* 13*s.* 4*d.*; and the surplus was applied in part liquidation of a previous debt to the chamberlain, which is now reduced to 36*l.* 3*s.* 9*d.* Expenditure.

His account is annually audited by the mayor and portmen. A copy of the last account accompanies my Report. Audit.

ORFORD.

Alienations.

The only property alienated within the last 50 years, is the quay, with a stable and granary, which was sold in 1813 to the Marquis of Hertford. It was sold, after valuation by a surveyor, for 380*l.* The proceeds were appropriated to the part payment of law expenses, amounting to more than 1,200*l.* which were incurred in defending the corporate rights to the river. It does not appear from what fund the remainder was paid.

The corporation possess no Patronage, ecclesiastical or lay.

VI. STATE OF THE TOWN.

Population.

The Population of the borough was, in

1801	751
1811	737
1821	1,119
1831	1,302

From this statement, it appears that the population fell off between 1801 and 1811, and rapidly increased between 1811 and 1821. Since then the increase has been in a diminished ratio.

Houses, Families and Occupations.

At the present time there are 245 inhabited houses, occupied by 282 families. Of these families, 106 are employed in agriculture, and 72 others in some kind of trade or manufacture.

Out of 245 houses, the number valued in 1831, at 10*l.* and under 40*l.* did not exceed 20; and of these, 19 were under 20*l.*

Real Property.

The annual value of Real Property in 1815, is stated in the Population Returns to have been 3,906*l.* It is said to have since diminished, but the present value has not been ascertained.

Local Taxation.

The Parochial Assessments during the last few years have not varied much. The average amount has been about 480*l.* per annum. The whole assessment for the poor, the church, and the surveyor's rate is estimated at 7*s.* 6*d.* in the pound, on the rental of lands and houses, which are rated, the former at three-fourths, and the latter at two-thirds of their real value.

In addition to the amount levied for parochial purposes, a sum of 56*l.* 10*s.* is annually received by the overseers, for the general relief of the poor, from an estate called the Town Estate.

The Assessed Taxes paid by this borough for the years ending 5th April

	£.	s.	d.
1829 amounted to	139	3	11
1830 „	144	1	8
1831 „	143	14	7

The wages of an agricultural labourer in the vicinity of the town are 10*s.* to 10*s.* 6*d.* per week.

On the whole, the town of Orford is considered by the municipal authorities as progressive, and the oyster fishery appears to them to be a principal cause.

VII. SUMMARY and OBSERVATIONS.

The Corporation of Orford is in many respects similar, both in its organization and practical working, to that of Aldeburgh.

The original Constitution of the borough, still preserved in its charters, is hardly to be recognized in the existing state of the Corporate Body.

The charters incorporate the Inhabitants of the town. From the existing corporate body all the inhabitants, except seven, are excluded.

The charters make the Inhabitants exclusively eligible to corporate offices. Out of 21 corporate officers, composing the present governing body, three only are inhabitants.

The charters make these officers removable for not dwelling in the borough. The officers neither dwell in the borough, nor are they removed.

The incorporation therefore of Inhabitants, the qualification for office, and the security for the performance of municipal duties, are all discarded in practice.

Not only are the Inhabitants without control over the municipal authorities, but they have nothing whatever to do with the existing Corporation beyond the election of a mayor, in which they are restricted to the choice of one of two portmen, nominated by a body of strangers. It is a choice in which they take so little interest that the election is a mere form.

Those who now claim under the royal charters to be "the honest men of Orford," and "the Inhabitants of the said town," are—the Marquis of Hertford,—the Earl of Yarmouth,—the Right hon. Lord George Seymour,—Sir George F. Seymour,—Horace Beauchamp Seymour Seymour, Esq.—George Henry Seymour, Esq.—the Marquis of Hertford's solicitor, the

—the Marquis of Hertford's former steward,—the Marquis of Hertford's superintendant of estates in the borough,—the Right hon. J. Wilson Croker,—the Magistrates of the two boroughs, one of whom is also the Collector of Customs in the port of Aldborough,—the Town Clerk,—and a few other political friends or adherents, elected in the same interest.

The collective functions of this self-elected municipal body have corresponded with its organization. For many years it acted successfully as a political club or union, formed to legalize the nomination of two Members of the House of Commons, by a Member of the House of Lords. Since the Reform Act passed, its occupation is gone.

The corporate offices are distributed among its members, and a feigned observance of the charter and constitution appears in this. After acquiring an official name in the borough, these non-resident functionaries have been required to qualify themselves as Inhabitants, by renting a room, or some other scot and lot tenement, to give them a local habitation.

The constitutional power of amotion for non-residence is vested in a body of absentees, and the officers remain removable without being removed.

Absenteeism, indeed, is so well established a custom of the borough, that till lately it was not thought necessary that the Chief Magistrate should reside. It was only three years ago that the present three resident portmen were elected and became eligible for the office; and still this office must, one year in every four, be filled by a non-resident; for so jealous is the constitution lest any member of the corporation should monopolize its chief official honours, that an interval of four years is required before the same individual can be re-elected its head.

The office of Recorder—an office to which Queen Elizabeth appointed her attorney-general, whose successor is the Marquis of Hertford's solicitor—is held, in conjunction with two others, in this and the neighbouring borough; and the gentleman holding the three carries on his professional business in London. The other legal adviser of the corporation, their Town Clerk, has leisure to hold four distinct offices in the same two boroughs, while he carries on his professional business in Ipswich.

The local Jurisdiction is nearly obsolete. The criminal court was last held in 1832, after an interval of many years, and the civil court has been shut up for more than a century.

As to the Property and revenues of the corporation, the greater part of the lands are in the possession of the Marquis of Hertford, at a rent fixed by himself and his friends in the council, without any opportunity given to the inhabitants either of occupying the lands themselves, in small inclosures, or of fixing their just value by public competition. A recent alienation has permanently transferred a portion of this property to the same noble peer and portman.

While a third of the town revenue is expended on the mayor's inauguration feast, the Inhabitants are taxed by the corporation for the use of a town pump.

With so slight a connexion between the Corporation and the Inhabitants,—a Chief Magistrate occasionally non-resident—a non-resident Governing Body—a non-resident Town Clerk—a Jurisdiction almost obsolete—the greater part of the Town Lands in the exclusive occupation of a portman,—I can see no advantage to the town from the existence of this municipality.

I invited the resident corporate authorities, who attended the Municipal Inquiry, to suggest any local benefits resulting, or likely to result, from the exercise of their official power. The benefits suggested were, first, the regulation of the fishery; and in the next place, the possibility that, at some future time, the ancient privilege of the franchise might be restored, and writs again issued to the borough for the return of burgesses to Parliament. In anticipation of this political contingency, when the corporation might again be called upon to resume its political functions, its continued existence appeared to be thought desirable by one, at least, of the portmen.

The following Documents accompany my Report: Documents.

1. A Translation of the Governing Charter.
2. The Chamberlain's Account for the year 1832–33.

John Buckle.

REPORT

ON

THE TOWN OF SOUTHWOLD,

(SUFFOLK.)

CONTENTS.

Sect.		Page
I.	Limits, Extent and Population	2515
II.	Incorporation and Charters	2515
	Incorporation by Act of Parl. temp. Hen. 7, A. R. 4	2515
	Exemplification of the Act by Letters Patent of Hen. 7, A. R. 5	2515
	Charter of Hen. 7, A. R. 20	2515
	Subsequent Charters	2516
III.	Corporate Body and Constitution	2516
	Title	2516
	1. Official Body	2516
	Bailiffs	2516
	High Steward	2516
	Coroner	2516
	Town Clerk	2516
	Chamberlain	2517
	Serjeants at Mace	2517
	Gaoler	2517
	Crier	2517
	Fen Reeves	2517
	Clerk of the Market	2517
	2. The Commonalty	2517
IV.	Jurisdiction	2517
	Magistracy	2518
	Courts	2518
	1. Sessions, Quarter	2518
	2. Civil	2518
	3. Admiralty	2518
	4. Leet	2518
	Gaol	2518
	Police	2518
	Licenses	2518
V.	Property	2518
	Common and Marshes	2519
	Farm at Walpole	2519
	Town Farm	2519
	Land in Reydon	2519
	Houses and other Tenements	2519
	Market Dues	2519
	Ground Rents	2519
	Interest on Haven Money	2519
	Income	2519
	Charges and Liabilities	2520
	Debt	2520
	Expenditure	2520
	Alienations	2522
VI.	State of the Town	2522
	Population	2522
	Occupations	2522
	Houses	2522
	Property	2522
	Taxation	2522
VII	Documents	2523

TOWN OF SOUTHWOLD.

I.

LIMITS, Extent and Population.

THE Town of Southwold is co-extensive with the parish of Southwold. Its area is 687 statute acres, and it contains a Population of 2,079 inhabitants.

II.

INCORPORATION and Charters.

The town was first incorporated by an Act of Parliament passed in the 4th year of the reign of Hen. 7.

Incorporation by Act of Parl. temp. Hen. 7, A. R. 4.

The occasion of its Incorporation is thus described in the Act:

"Whereas many great variances and debates have long time been had and continued between the bailiffs and commonalty of Dunwich, in the county of Suffolk, the which is a town corporate on the one party, and the inhabitants of Southwold, of the same county, which is a town not corporate, on the other part, the which towns being within the space of two miles togiders; for that the same bailiffs and commonalty claimed of every ship of every of the same inhabitants of Southwold coming into the haven of Dunwich, between the same town, 6*s.* 8*d.* yearly; and of every boat of 12 oars of every of the same inhabitants yearly, 4*s.*; and of every boat of two oars of every of the same inhabitants yearly, 2*s.*; and also of every ship yearly for anchorage in the said haven, 4*d.*: all which the said inhabitants of Southwold denied, saying they owed not any such charges to beare: nevertheless, as well the said bailiffs and commonalty as the said inhabitants of Southwold, considering as well the great hurt inconveniences that have fallen, and hereafter were likely to fall, by occasion of the said variances, by mediation of Sir Henry Haydon, knight, James Hobart, the King's Attorney, Edmund Jenny and John Yaxley, appointed thereto by the Lords of the King's most Honourable Council, before whom the complaints of the said variances were depending, in eschewing of such hurts and inconveniences as were like to ensue, and for rest and ametie to be had and continued for evermore between them in that behalf, been now accorded and agreed for them and their successors for evermore, in form ensuing, (that is to say,) that the said inhabitants and all their successors, and other inhabitants hereafter to be in the said town of Southwold, and every of them and their ships and boats to be utterly quit and discharged of all the said customs, sums and payments before this time or now claimed by the said bailiffs and commonalty, or by any of their successors, or by any of their predecessors hereafter to be claimed: the King our Sovereign Lord, considering the said accord and agreement to be cause of continued peace, profit and ease of both the said towns, to the avoiding of the great inconveniences the which might ensue by occasion of the said variances, willing therefore the same accorde and agreement to be put in perfect surety of perpetual continuance, by the advice of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the authority of the same enacteth, ordeyneth and establisheth, That the inhabitants of the said town of Southwold now being, or hereafter to be, from henceforth oon person and oon commonalty, and that the same town be a town corporate of two bailiffs and commonalty for evermore."

The Act provides for the election of Bailiffs, and exempts the Inhabitants, their ships and their boats, from all customs claimed by the corporation of Dunwich, and from arrest within certain parts of the haven.

Exemplification of the Act by Letters Patent of Hen. 7, A. R. 5.

This Act of Parliament, with the answers of the King and of the communities,—A cest Bill les Communes sont assentuz; le Roy le veute,"—were exemplified by Letters Patent of Hen. 7, dated 28th Feb. A. R. 5.

Charter of Hen. 7, A. R. 20.

These letters patent were confirmed by subsequent letters patent of Hen. 7, dated 10th June, A. R. 20, which confer on the corporation and its officers the powers of local government and a local jurisdiction:

"Considering that the said town is situated upon the sea coast, and lies on part of our manor and lordship of Southwold aforesaid, and the great navigation of the inhabitants of the said town, by their industry, above the rest of the more ancient privileged towns of those parts adjacent, long since to our profit and the defence of the parts and sea coasts of the said county adjacent excelled; yet as we are informed, for want of suitable Ordinances not there had, nor of us obtained, the inhabitants of the same town have come to very great damages, and notorious injuries for want of wholesome ordinances and good government."

This charter grants to the bailiffs and commonalty the Town and Manor of Southwold; the offices of High steward and Coroner; a Court of record for the trial of all civil actions to be held before the high steward and bailiffs, and a Court leet, or view of frankpledge, to be held before the high steward or his deputy; the return of the King's writs, a Gaol, two weekly Markets, and two annual Fairs.

The bailiffs and steward were appointed Justices of the peace, and the bailiffs were appointed Admirals of the port, with an exclusive jurisdiction.

SOUTHWOLD.

Subsequent Charters.

These corporate rights were successively confirmed by the following Charters:

Letters Patent of Hen. 8.	-	dated 1 Mar. A. R. 1.
Edw. 6,	-	dated 22 June, A. R. 1.
Eliz. -	-	dated 12 June, A. R. 1.
Jam. 1,	-	dated 14 May, A. R. 2.
Car. 2,	-	dated 8 May, A. R. 10.
Will. & M.		dated 23 Jan. A. R. 1.

The last of these letters patent embodies those of Hen. 7, and the Act of Parliament by which the town was originally incorporated.

They are now referred to as the governing charter. The original is not in the possession of the corporation. A copy accompanies my Report.

III. CORPORATE BODY and CONSTITUTION.

The persons incorporated by the charters are the Inhabitants of the town.

Title.

The Title of the corporation is The Bailiffs and Commonalty of the Town of Southwold.

1. Enumeration of Officers and Commonalty.

The Corporate Officers are,

Two Bailiffs.
A High Steward.
Coroner.
Town Clerk.
Chamberlain.
Two Serjeants at Mace.
A Marshal of the Admiralty Court.
Clerk of the Market.
Crier.
Two Fen Reeves.

The number of those who compose the Commonalty is 226; and of these 218 reside in the town.

Bailiffs.

The Bailiffs are annually elected by the commonalty. The election takes place on the 6th December, but they are not sworn into office till the first Friday in Easter week.

As the heads of the corporation they preside at all the meetings of the commonalty, and may at any time summon a special assembly.—(*See* Commonalty.)

They are magistrates of the town, judges of its civil court, and admirals of the port.—(*See* Jurisdiction.)

They have the return of all writs within the municipal limits.

These are their functions by charter and usage. By a local Act they are also commissioners of the harbour; and by the will of John Sayer, joint trustees of a charity fund, called Sayer's Charity.—(*See* 22d Rep. of Charity Commissioners.)

In practice they act as stewards of the town property, control the expenditure, and examine all bills and accounts previous to the annual audit by the commonalty.—(*See* Chamberlain.)

Their official salary is 10*l.* a year to each.

The office is considered burdensome, and for 22 years, from 1810 to 1833, the election was not contested.

There is no political or religious exclusion, and the contest in 1833 was rather of a personal than party character.

The persons chosen are always resident, and the same individuals have been frequently re-elected.

At present the bailiffs are a surgeon and a commander in the navy.

High Steward.

The High Steward is elected by the bailiffs and commonalty, and he holds his office for an indefinite period, subject to removal by them. His appointment is by letters patent under the common seal of the corporation.

He is a magistrate of the town, a judge of the court of record, and he presides at the court leet.

His salary is 10*l.* 10*s.* a year; and he receives a fee of 3*l.* 3*s.* for attendance at the sessions.

This office has generally been held by a non-resident barrister; but the present high steward, who was elected in 1821, is not a professional man; he resides at Reydon.

Coroner.

The Coroner is elected by the bailiffs and commonalty, and holds his office at their pleasure.

He performs the ordinary duties of the office, for which he receives a salary of 2*l.* 2*s.* a year, and a fee of 1*l.* 1*s.* for every inquisition.

Town Clerk.

The Town Clerk is elected by the bailiffs and commonalty for the same indefinite period as the high steward, and is removable by the corporation.

He attends the corporate assemblies, is clerk of the peace, and usually acts as registrar of the Admiralty Court.

His salary is 4*l.* 4*s.* a year, besides his fees as clerk of the peace and registrar; and he has the privilege of putting two heads of stock upon the common.

These

SOUTHWOLD.

These official emoluments are estimated under 30*l.* a year.

The present town clerk was elected in 1833; he is an attorney-at-law, residing at Halesworth.

Chamberlain.

The Chamberlain, who is not a chartered officer, is elected in the same way as the town clerk.

He is the treasurer of the corporation, and accounts to the bailiffs and commonalty at their annual meeting.

His payments are controlled by the bailiffs, and no sum exceeding 40*s.* can be paid without their authority.

The salary is 5*l.* a year.

Serjeants at Mace.

The Serjeants at Mace are annually appointed by the bailiffs and commonalty, and removeable by them.

They are the official servants of the bailiffs, and execute warrants within the town.

The salary of each is 2*l.* 2*s.* a year, besides an official livery.

Gaoler.

The Gaoler is appointed by the bailiffs from the commonalty, and holds his office during their pleasure.

His salary is 6*l.* 6*s.* a year.

Crier.

The Crier is appointed by the bailiffs from the commonalty.

His salary is 2*l.* a year.

Fen Reeves.

The Fen Reeves are appointed by the bailiffs from the commonalty.

They have the care and management of the common, for which they receive a salary of 2*l.* a year each, with small perquisites on every head of stock, which make their emoluments about 6*l.* a year.

Clerk of the Market.

The offices of Clerk of the Market and Marshal of the Admiralty Court are united in the same person. He is appointed by the bailiffs from the commonalty, and receives a small payment for every stall in the market, with the usual fees for executing Admiralty warrants.

2. The Commonalty.

The Commonalty are those inhabitant householders who pay scot and lot, and have gained a legal settlement in the town. This is the interpretation of the charter, which incorporated the inhabitants under this name.

The number of residents possessing this qualification is 218.

Every member of the commonalty has a voice in the affairs of the town.

It was formerly governed by a body of Ordinances and Bye-laws, which are preserved among its records, but no longer enforced. The last roll of ordinances was drawn up in 1688.

The local powers of the corporate body are now limited in practice to the election of their magistrates and other officers, and the control of the town property.

At their annual meetings the chamberlain's accounts are laid before them, and audited by those who are present. Several attend for this purpose, and the bills and vouchers are open to the examination of all. The accounts and vouchers for many years past are carefully preserved among the corporation documents, and were offered for my inspection.

The bailiffs preside at these assemblies, and may at all times convene a special meeting.

These special meetings are called to sanction leases of the town property, after a notice to the commonalty; and there is a standing regulation that no bailiff or chamberlain should order the erection or repair of buildings, or dispose of money in their hands, without the consent of an assembly specially convened. This regulation is not always enforced, but such meetings are usually convened before any extraordinary expenses are incurred.

In 1829 there was a special meeting in consequence of an action brought against one of their officers by the corporation of Dunwich; and a resolution was passed to leave the matter in the hands of the bailiffs.—(*See* Expenditure.)

Since then a meeting has been called to take into consideration other legal proceedings instituted by the vicar for the recovery of tithes.

A proposal was made upon this occasion to refer the matter to a committee, but this was not acquiesced in, and an adjournment ultimately took place in the midst of confusion. After this adjournment the bailiffs consulted the principal Inhabitants of the town; and, in consequence of a resolution passed at a public meeting, they engaged a solicitor to manage the suit on behalf of the corporation.

One of the bailiffs has since changed his opinion upon the subject, and objects to further proceedings. The other is now acting under the opinion of the high steward, who considers that the bailiffs are authorized to proceed without the concurrence of the commonalty.

All the Inhabitants of the town have the privilege of depasturing a common of about 315 acres in extent, on payment of a certain sum, which is annually fixed by the corporation. The sum paid by the Commonalty is less than that which they exact from the other inhabitants, who are not admitted to vote for the local functionaries. This is complained of as a hardship, and the right to make such a distinction is disputed.—(*See* Property.)

The only other local privileges are, exemption from service as jurors beyond the precincts of the town; and from the payment of wharfage at the public quay. These are enjoyed by all the Inhabitants.

JURISDICTION. The Jurisdiction of the Town is exclusive.

Magistracy. The Magistrates are the bailiffs and the high steward.

Courts. The Local Courts are,

1. A court of sessions.
2. A court of record.
3. An admiralty court.
4. A court leet.

1. Sessions. The Sessions, which till lately were held only once a year, are now held quarterly, and the bailiffs and high steward always attend. The town clerk attends either in person or by deputy. They have cognizance of all felonies committed within the town, but very few have been tried for many years past, and prosecutions are very rare.

The number of larcenies during the last 33 years has been two only, and during the last 45 years the greatest punishment inflicted by the court has been six months imprisonment.

The juries are impannelled by the bailiffs, and summoned by the serjeants at mace; the grand jury is selected from the chief inhabitants, and the petty jury from the tradesmen of the town.

The average expense of a prosecution has been about 10 *s.*

No Petty Sessions are held, but the magistrates are always accessible.

2. Court of Record. The Court of Record was formerly held every week before the bailiffs and the chief steward or his deputy; and had cognizance of all actions, real, personal and mixed, where the cause of action arose within the town.

It has now been disused for nearly a century.

In 1827, a petition was presented to the corporate authorities by the tradesmen and other inhabitants, for the re-establishment of the court. They state, "That the disuse of the said court has been attended not only with inconvenience, but of serious injury to them, inasmuch as they are left without any legal remedy for recovering their debts, except through the intervention of the superior courts of justice, the expense of which was one of the objects the substitution of the borough court was intended to alleviate.

"That they conceive the re-establishment of the borough court would be a great advantage to them, and be an additional benefit to their trade in general."

This petition has not been complied with, nor is there any local functionary fitted by education to preside in the local courts.

The desire for its re-establishment was strongly expressed during the Municipal Inquiry by a considerable number of the inhabitants.

3. Court of Admiralty. The Court of Admiralty is held every month by the bailiffs, and has cognizance of all matters arising within the town or port.

Five proctors are sworn in this court.

The fees are regulated by the following table:

Value of Goods.	Amount of Fees.	DISTRIBUTION OF FEES.					
		Judge.	Registrar.	Promoter.	Proctor.	Marshal.	Crier.
	£. s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
Above 1 under 3	– 5 4	1 –	2 –	1 –½	1 –½	– 1½	– 1½
Above 3 – 5	– 6 2	1 2	2 4	1 2	1 2	– 2	– 2
Above 5 – 8	– 7 2	1 4	2 8	1 4½	1 4½	– 2½	– 2½
Above 8 – 12	– 8 6	1 6	3 –	1 9	1 9	– 3	– 3
Above 12 – 16	– 10 9	2 –	4 –	2 1	2 1	– 3½	– 3½
Above 16 – 20	– 14 7	2 9	5 6	2 10	2 10	– 4	– 4
Above 20 – 25	1 1 6	4 –	8 –	4 2	4 2	– 7	– 7
Above 25, whole fee	2 3 –	8 –	16 –	8 4	8 4	1 2	1 2

The proceedings of the court appear to be very irregular, and are much complained of by the resident agent for the underwriters of Lloyd's.

4. Court Leet. The Court Leet is held by the bailiffs and high steward, and usually after the Easter sessions, when the petty jury, as a leet jury, presents nuisances, and examine the weights and measures.

Gaol. The Town Gaol contains one yard, about 28 feet by 20 feet; one day room, about 12 feet square; and two sleeping rooms or cells.

The number of prisoners committed during the last three years have been as follows:

1831	2
1832	7
1833	9

The prisoners have neither employment nor a fixed allowance.

The

Police.

The Police consists of six constables and the two serjeants at mace. The constables are annually appointed by the leet jury from the tradesmen of the town, and the same persons are generally reappointed.

This police force is found amply sufficient. There is no night watch, nor is it wanted.

Licenses.

There are eight public-houses within the precincts of the town, which are licensed by the local magistrates.

None of these houses belong to the magistrates.

V. PROPERTY.

The Revenue of the corporation is about 850*l.* a year. It arises principally from lands and buildings in the town and its neighbourhood.

Common and Marshes.

The Common and Marshes, 314 A. 0 R. 19 P. in extent, are used for depasturing cattle. The profits last year were 362*l.* 11*s.* 2*d.*; in the previous year, 390; and on an average of four years, 325*l.* a year.

These lands were acquired by the corporation under the will of William Godell, a merchant of the town, who died in 1509. He bequeathed them with 400 sheep, first to his wife, on condition that she should find a secular priest to sing for his soul in the church of Southwold as long as she lived; and after her death, to the bailiffs and commonalty for 16 years, subject to the same condition, and with this additional burthen cast on the priest, that he was to sing not only for the soul of the giver, but also for those of his friends; and as a remuneration for this service, he was to enjoy an annual stipend of ten marks, during the period of the chaunt. If the bailiffs and commonalty failed in finding the priest, the same duty was cast upon his executors. At the end of the 16 years, the land, unburdened both of the chaunt and of the stipend, was given to the town of Southwold for ever.

The privileges of the commonalty, with reference to these lands, have been stated.—(*See* Commonalty.) It is a subject of complaint on the part of the poorer inhabitants.

Marshes newly inclosed, 34 A. 0 R. 25 P. in extent, are occupied by various tenants, at a rental of 47*l.* 0*s.* 9*d.* a year. The inclosures were all let by public auction.

A windmill, called the Town Windmill, stands on this common, and is let for eight years, from Michaelmas 1829, for 18*l.* a year.

Walpole Farm.

A Farm in the parish of Walpole and Cookley, with 173 A. 2 R. 35 P. of land, is let for eight years, from Michaelmas 1826, at 280*l.* a year.

Town Farm.

A farm called the Town Farm, in the parish of Southwold, containing 56 A. 2 R. 30 P. of marsh and arable land, is let for 12 years, from Michaelmas 1828, at 100*l.* a year; but the rent has been since reduced to 65*l.* a year. A Brick Kiln on this farm produces 16*l.* 3*s.* a year, in addition to the rent.

Land in Reydon.

The moiety of a piece of Land in Reydon, near Southwold, about 20 acres in extent, is let for 12 years, from Michaelmas 1828, for 18*l.* a year.

This estate was obtained by exchange with the late Sir Thomas Gooch for an estate at Benacre, known as the Poor and Town Estate. Previous to this exchange, the Benacre property, 17 acres in extent, was let for 42*l.* a year. The Reydon property produces only 18*l.* a year. A bonus of 200*l.* accompanied the exchange, which was paid to the corporation.

The other moiety of the estate is held in trust for the poor.

The Charity Commissioners, in their Report upon this property, state that "an objection was some time ago made on the part of some of the inhabitants to the exchange, on account of the proximity of the land at Reydon to the sea, and the consequent danger of encroachment. To meet this objection, a subsequent proposal was made by Sir Thomas Gooch to re-exchange the land at Reydon for any other, to be agreed upon between him and the bailiffs, and a committee of the corporation was appointed in 1822, to treat for and arrange such further exchange. It did not appear, however, that any progress had been made in the business at the time of our inquiry, owing more particularly, as stated, to the difficulty of fixing upon land suitable to the purpose. The design, however, has not been given up, and steps we were assured would be taken to carry it into effect."

No progress has been made since.

Buildings.

Four Houses and Shops in the market-place, purchased by the corporation, are let for 45*l.* a year. A Wharf produces about 5*l.*, and a Gatehouse 6*l.* a year.

Market Dues.

Market Dues for stallage amount to 4*l.* a year.

Ground Rents.

Ground Rents, arising from various portions of corporation land, amount to 21*l.* 5*s.* a year.

Interest on Haven Money.

A Loan of 100*l.* to the commissioners of the Haven, at four per cent. interest, produces 4*l.* a year.

Income.

The Income derived from these several sources is this:

	£.	s.	d.
Common and Marshes	325	–	–
Walpole Farm	280	–	–
Town Farm	65	–	–
Marshes now inclosed	40	–	9
Piece of Land	18	–	–
Houses and Shops	45	–	–

SOUTHWOLD.

	£.	s.	d.
Mill	18	–	–
Brick-kiln	16	3	–
Wharf	5	–	–
Gatehouse	6	–	–
Market Dues	4	–	–
Ground Rents	21	5	–
Interest on Haven Money	4	–	–
£.	847	8	9

Charges and Liabilities.

This income is charged with the following Liabilities:

1. A Fee-farm Rent.

2. Interest on 150*l.*, a bequest of John Steel to the corporation, in trust for the poor widows of Southwold.

The interest now allowed is five per cent., which is paid to the churchwardens.

3. Interest on 144*l.* 12*s.* 3*d.*, the proceeds of timber cut on the Benacre estate, and of other sums appropriated to the poor; and interest on 100*l.*, one-half the bonus paid on exchange of the Benacre estate.—(*See* 22d Rep. of Charity Commissioners.)

Debt.

4. A Debt of 7,000*l.* was incurred in 1829, and is secured by a mortgage of the principal corporation estates.

This sum was appropriated first to pay off an existing mortgage debt of 1,500*l.*, and the remainder to general purposes; the interest paid is four per cent.

In the following year a further debt of 700*l.* was incurred, which is secured partly by a mortgage of the shops in the town and partly by bond. The interest paid is five per cent.

In 1832 the bond debt was increased 580*l.*, on which five per cent. interest is paid.

The whole debt, therefore, secured by mortgage and bonds is 8,280*l.*, and the interest is 344*l.* a year.

Deducting the amount of these charges from the income, there remains about 800*l.* a year available for general purposes.

Expenditure.

The following is a statement of the ordinary annual Expenditure, as it was recently reported by a finance committee:

	£.	s.	d.	£.	s.	d.
Poor-rate for town land				80	–	–
Payments for employment of poor				40	–	–
Salaries; viz.						
Recorders	£. 13	13	–			
Bailiffs	20	–	–			
Chamberlain	5	–	–			
Coroner	2	2	–			
Town Clerk	4	4	–			
Serjeants	4	4	–			
Crier	2	–	–			
				51	3	–
Interest				344	–	–
Publicans' bills				35	–	–
Tithe composition				10	–	–
Land-tax for Southwold				7	17	3
Land-tax on Town Farm				4	8	–
Fee-farm rent				11	12	–
Surveyor's rate				3	6	8
Serjeant's expenses				10	14	–
Insurance				3	11	9
Sluice				2	10	–
Ringers				4	4	–
Sessions sermon				1	1	–
Church rate				15	15	–
Advertisements, &c.				4	4	–
Walpole Farm expenses; viz.						
Repairs and quit-rents	£. 15	–	–			
Land tax	10	–	–			
				25	–	–
Town clerk's bill	10	–	–			
Printing	2	–	–			
				12	–	–
Sundries				200	–	–
£.				866	6	8

No

No explanation is given of the sundries; but it appears from an examination of the annual accounts, that they include law expenses and various tradesmen's bills.

In the year 1831–2, the law expenses amounted to 105*l.* 19*s.* 8*d.*; and in 1832–3, they amounted to 41 *l.* 7*s.* 8*d.* They were principally incurred in defending an action brought by the corporation of Dunwich*.

The expenditure during these two years has been kept within the income. This, however, has not been the case in previous years. The following statement shows the annual deficiency since 1816.

EASTER.	Receipt.	Disbursements.	Deficiency.
	£. s. d.	£. s. d.	£. s. d.
1816 - - -	987 4 11	1,493 1 7	505 16 8
1817 - - -	820 3 6	1,092 10 4	272 6 10
1818 - - -	976 12 5	1,246 10 8	269 18 3
1819 - - -	1,045 14 2	1,293 19 8	248 5 6
1820 - - -	1,033 8 4	3,012 12 7	1,979 4 3
1821 - - -	1,035 – 8	1,230 8 6	195 7 10
1822 - - -	898 17 10	1,213 – 2	314 2 4
1823 - - -	843 17 1	1,095 18 –	252 – 5
1824 - - -	894 19 8	1,159 17 3	264 17 7
1825 - - -	1,030 13 10	970 10 4	—
1826 - - -	1,034 18 8	889 7 5	—
1827 - - -	1,210 12 11	1,957 1 1	746 8 2
1828 - - -	954 19 10	1,039 1 9	84 1 11
1829 - - -	823 7 –	1,272 16 6	449 9 6
1830 - - -	859 9 10	1,456 – 9	596 10 11
1831 - - -	1,019 17 11	1,215 – 11	195 3 –

This continued deficiency, which has led to the existing debt, is accounted for by the following payments:

	£. s. d.
New town-hall - - - - - - - - - - - -	707 3 9
Admiralty warehouse - - - - - - - - - - -	50 – –
Gatehouse and land - - - - - - - - - - -	220 3 11
New-enclosed marshes - - - - - - - - - - -	624 3 7
Property in market - - - - - - - - - - -	1,000 – –
Gaol - - - - - - - - - - - - -	570 – –
Balance of the debt to Mr. J. Howe - - - - - - -	250 – –
Payment of privilege rates on account of townsmen - - - -	1,078 6 9
Disbursements for the borough school - - - - - - -	653 14 9
Extra costs on trials with Messrs. Hayth, for trespass on corporation lands -	231 – –
Payment of privilege rates on account of townsmen - - - - -	420 3 10
Cost of breakwaters at the Gunhill, Blackshore and on the Beach, for the protection of the new marshes - - - - - - - - -	575 10 8
Remaining purchase-money of Mr. Clubbe's premises - - - -	200 – –
Admission to copyhold marsh, and extra for marsh walls - - - -	168 15 5
Solicitors' bills and other law charges, including the expenses of the action, Dunwich against Sterry - - - - - - - - - -	844 – 5
Corporation proportion of flag pavement in the street - - - -	65 14 10
Expenditure on the Walpole estate - - - - - - - -	623 14 9
£.	8,282 12 8

A great part of this outlay was for the improvement of the corporation property.

The expense of defending the action brought by the corporation of Dunwich, was 377*l.* It was defended under the advice of counsel.

The school has been abandoned for want of funds.

The finance committee, which was appointed in the present year to investigate the accounts, recommended the following retrenchments:

"That one-third of the expense of the unemployed poor be paid by the corporation.
"That the recorder's salary be reduced to 10*l.* 10*s.* per annum.
"That the bailiffs' salaries be reduced to 10*l.* 10*s.*, viz. 5*l.* 5*s.* each.
"That the chamberlain's salary be reduced to 3*l.* 3*s.*, and the coroner's salary to 1*l.*
"That no publicans' bills be allowed.

"That

* *See* Rep. on the Borough of Dunwich.

SOUTHWOLD.

"That the bells be rung at the expense of the corporation on the day of the officers of the borough entering upon their offices, and that the ringers be paid 1 *l.* 1 *s.* for ringing on that day."

The committee add, that "after having looked into the town resources, they are much concerned to find that the income of the corporation falls so far short of its outgoings, and they look in vain for a remedy for the evil, except to the rates of the commonage, which, they venture to submit, must for the future be advanced. It appears that all the other property of the corporation is let at its full value, and instead of there being a probability of an increased rental, the reverse, it is to be feared, must be the result, as it is expected that a considerable reduction must be made in the rent of the Walpole estate, now let for 280 *l.* a year on a lease which will expire at Michaelmas 1834.

"The committee feel fully sensible that they are taking upon themselves a most unpleasant task in proposing to their fellow townsmen, that in future the rates of commonage be raised, inasmuch as the doing so must, for a time at least, prejudice the townspeople, particularly the poorer classes; every townsman having had a claim hitherto to the privilege of turning cattle on the common and marshes at a low rate of pasturage.

"The committee hoped to have been able to recommend a greater diminution of the annual outgoings, but they have to regret that, after a careful investigation, they see no probability of the expenditure of the corporation being for the future less than what has been before stated, after making the proposed reductions, amounting to between 50 *l.* and 60 *l.*

"Those townspeople who have not had the privilege of keeping cattle from inability and other causes, have long since lost their privileges which they once enjoyed, of receiving 12 *s.* towards their rates, which payment was discontinued in consequence of the inability of the corporation to meet the same."

Alienations.

The only Alienations of property within the last 50 years have been the exchange with Sir Thomas Gooch, already stated, and an exchange with Sir Joshua Vanneck, of 1 A. 0 R. 28 P. of meadow land, called Cookley Marsh, for 2 A. 2 R. of other land adjoining the Walpole Farm.

VII. STATE OF THE TOWN.

Population.

1. Population.

Years.	Total.	Increase.
1801	1,172	
1811	1,369	197
1821	1,676	307
1831	1,875	199

The number of males in 1831 was 841, besides 204 registed seamen, who are not included in the Population Returns.

Occupations.

2. Occupations.

Families	Agriculture	26
	Trading, manufacturing, &c.	140
	Not comprised in above classes	280

Houses.

3. Houses.

1821	351
1831	450

Property.

4. Annual value of Real Property.

1815	£. 1,849

Taxation.

5. Parochial Assessments.

1825	£.
1829	
1833	

6. Assessed Taxes.

1829	£. 281 18 4
1830	289 12 1
1831	310 – 1
1832	331 16 6
1833	359 18 7½

7. Port Dues.

The principal are the harbour duties.

1830	£. 1,122 13 3½
1831	1,025 3 7
1832	1,267 15 4

These duties are levied on all vessels engaged in trade, and on all articles imported or exported.

They are levied by the commissioners of the harbour under the authority of a local Act, passed on the 29th May 1830, and they are appropriated to the maintenance and improvement of the harbour.

The other dues levied in the port are for wharfage.

A duty,

A duty, varying from 2*d.* to 4*d.* per load, is levied on all articles shipped or landed at Blackshore Quay by the corporation. The same duty is levied at Reydon Quay by a private individual; and a third duty is levied by another private individual on every vessel laying at Walberswick Quay, and on corn, coals, and goods shipped or landed there.

The duty in the last case is 2*s.* on every vessel; 6*d.* on every waggon load of corn or goods; 4*d.* on every chaldron of coals; and 4*d.* on every cask of porter when taken to the warehouse.

The total amount raised in the year 1832, was 19*l.* 13*s.* 8*d.*; and it is appropriated to the repairs of the quay and road.

From the first of the three the inhabitants of Southwold are exempt; from the second none are exempt; from the third the inhabitants of Dunwich are partially exempt.

The town is considered to be improving: labour is well paid, and the poor who can find no other employment, are employed on the town land.

There are large Sunday schools for all denominations of persons, and few offences are committed within the limits of the corporate jurisdiction.

The harbour is under the control of local commissioners; and a merchant who is extensively engaged in the trade of the fort, complains that the mercantile interest suffers by the mode in which the commissioners are appointed. There are 12 clergymen, he says, in the commission, and only three merchants. To this he attributes the neglected state of the harbour; and to prove this neglect, he refers to a report of Mr. Rennie, which I transmit with other documents.

The Documents accompanying this Report, are

1. A copy of the Governing Charter.
2. A schedule of the Property of the Corporation.
3. A schedule of their Permanent Debts.
4. A copy of the Chamberlain's Account for 1832–3.
5. A copy of Mr. Rennie's Report on the Harbour.

John Buckle.

REPORT

ON

THE BOROUGH OF STAMFORD,

(LINCOLNSHIRE.)

CONTENTS.

Sect.		Page
I.	Limits, Extent and Population	2527
II.	Incorporation and Charters	2527
III.	Corporate Body and its Constitution	2527
	Title	2527
	Enumeration of Officers and Freemen	2527
	1. Officers composing the Governing Body	2527
	Mayor	2527
	Aldermen	2528
	Capital Burgesses	2528
	2. The Governing Body	2528
	3. Ministerial Officers	2528
	Recorder	2528
	Deputy Recorder	2528
	Coroner	2529
	Town Clerk	2529
	Chamberlains	2529
	Gaoler	2529
	Keeper of the House of Correction	2529
	Bailiff of the Liberty	2529
	Serjeants at Mace	2529
	Chief Constable	2529
	Receiver of Assize Returns	2529
	Collector of Stallage	2529
	Beadle and Wardman	2529
	Crier	2529
	Inspectors of Weights and Measures	2529
	Inspectors of Meat and Ale Tasters	2530
	Union of Offices	2530
	4. Freemen: Title to Admission	2530
	Birth	2530
	Apprenticeship	2530
	Purchase	2530
	Gift	2530
	Fees on Admission	2530
	Privileges	2530
IV.	Jurisdiction	2530
	Magistracy	2530
	Courts: 1. Sessions	2530
	2. Record	2532
	Gaol	2532
	Police	2533
	Proposed Extension of the Jurisdiction	2533
V.	Patronage	2533
	Grammar School	2533
VI.	Property	2533
	Tenancies	2533
	Income	2533
	Charges and Liabilities	2535
	Debt	2535
	Expenditure	2535
	Audit	2535
	Alienations	2535
VII.	Hospital Funds and Charities	2536
	Snowdon's Hospital	2536
	All Saints Callis	2536
	St. Peter's Hill Hospital	2536
	Other Charities	2536
VIII.	State of the Town	2537
IX.	Summary and Observations	2537
X.	Documents	2537

BOROUGH OF STAMFORD.

I. LIMITS, Extent and Population.

THE municipal borough of Stamford is co-extensive with the five parishes of All Saints, St. John, St. Michael, St. George, and St. Mary, and includes all that part of the town which lies on the north side of the River Welland, in the county of Lincoln.

It does not include the part which lies in the parish of St. Martin Stamford-Baron, in the county of Northampton.

The population of the five parishes, according to the last census, was 5,837. The population of St. Martin Stamford-Baron was 1,225. The area within the corporate limits is 1,860 English statute acres.

II. INCORPORATION and CHARTERS.

The earliest Charter known to the corporation was granted by Edw. 4, in the 1st year of his reign; and the last by Jas. 2, in the 1st year of his reign.

The following is a list of all the Charters known in the borough:

Charter of 1 Edw. 4, 12 February.
21 Edw. 4, 21 November.
2 Ric. 3, 16 August.
19 Hen. 7, 11 May.
2 Hen. 8, 12 July.
34 Hen. 8, 30 June.
1 Edw. 6, 22 November.
3 Edw. 6, 29 May.
1 & 2 Phil. & M. 20 January.
1 Eliz. 23 February.
36 Eliz. 22 November.
3 Jas. 1, 2 July.
16 Car. 2, 19 February.
13 Anne, 15 June.
1 Jas. 2, 3 March.

The last is the Governing Charter, a translation of which accompanies our Report.

III. CORPORATE BODY and its CONSTITUTION.

The persons incorporated by this charter are, the Mayor, Aldermen, Burgesses and Community of the town or borough.

Title.

The Title of the Corporation is "The Mayor, Aldermen and Capital Burgesses of the Town or Borough of Stamford, in the County of Lincoln."

Enumeration of Officers and Freemen.

The Officers mentioned in this charter are,
A Mayor.
13 Aldermen.
24 Capital Burgesses.
Recorder.
Deputy Recorder.
Coroner.
Town Clerk.
Bailiffs.
2 Chamberlains.

The other Officers of the corporation are,
A Gaoler.
Keeper of the House of Correction.
Bailiff of the Liberty.
Two Serjeants at Mace.
Chief Constable.
Receiver of Assize Returns.
Collector of Stallage.
Beadle and Wardman.
Crier.
Two Inspectors of Weights and Measures.
Two Inspectors of Meat and Ale-tasters.

The number of Freemen is supposed to be about 305; and about 250 are resident.

1. OFFICERS composing the Governing Body.

The Governing Body consists of the Mayor, Aldermen, and Capital Burgesses.

Mayor.

The Mayor is annually elected by this body from the aldermen, and is removable for misconduct by the aldermen and capital burgesses. Two aldermen are previously put in nomination

STAMFORD.

nomination by the electors, and the election takes place at a subsequent assembly. The day of nomination is the first Thursday after the feast of St. Bartholomew, and the day of election is the first Thursday after the feast of St. Michael the Archangel.

The aldermen are generally chosen in rotation, and after serving the office they become ineligible for the two following years.

Besides his constitutional functions, the mayor is the chief magistrate of the borough, and presides both at the quarter sessions and at the civil court of record.—(*See* JURISDICTION.)

He is also by virtue of his office,—

Clerk of the Crown, appointed to take recognizance of statute merchant and statute staple;

Clerk of the market, whose duty it is to inspect all articles exposed for sale;

One of the auditors of the corporation accounts;

Treasurer of the borough-rate, which is imposed by the magistrates;

One of the commissioners under a Local Act for lighting the town;

Sole trustee of the estates belonging to the free grammar-school;

Trustee of various charities.

His salary is 50 *l.* a year, and the patronage of the corporation is exclusively exercised by him.—(*See* PATRONAGE.)

During absence or sickness, he is empowered to appoint a deputy out of the five senior aldermen; and in case of death or amotion, the charter requires that a fresh nomination and election shall take place within 15 days.

Aldermen.

The Aldermen are elected by the mayor and themselves. Their office is held for life, subject to removal by the governing body.

They are all magistrates of the borough.

The capital burgesses only are eligible for this office, and the practice has been to elect them according to their seniority. One instance only was adduced in which this rule has been disregarded. The individual passed over is the present senior burgess, who is a political opponent of the Exeter interest, which is supported by the corporation.

The fees paid on the election of an alderman is 1 *l.*; one half of which is received by the town clerk, and the other half by the serjeants at mace.

Capital Burgesses.

The Capital Burgesses are elected by the governing body from the freemen. The election is for life, subject to removal by the same body.

They are called in the charter the Common Council of the town or borough, and are appointed to aid and assist the mayor and aldermen in all matters of local interest. They have no other functions than as members of the governing body.

The freemen selected for the council are always voters in the Exeter interest, and it is admitted that an opponent of this interest would have no chance of being elected.

The fees on the election of a capital burgess are 5*s.* to the town clerk, and the same to the serjeants at mace.

2. THE GOVERNING BODY.

The constitutional functions of the mayor, aldermen and capital burgesses, as the Governing Body of the borough, are thus defined by the charter:—

To make laws and ordinances for the good order and government of the inhabitants of the town, and of all the officers, ministers, artificers and residents within it; and for declaring in what way they, their servants and apprentices, shall demean themselves in their several capacities; "and otherwise for the further public good, common benefit and good order of the town or borough, and the victualling of the same."

To fine and imprison offenders against their laws and ordinances, retaining the fines to their own use.

To manage the corporation property, and guard the privileges and interests of the borough.

To return and execute all the King's writs and mandates.

The powers of this body are now limited in practice to the election of municipal functionaries, and the management of the town property.

Its political character is seen in that of its component parts, and will further appear in the sequel.

All the members are removable by the Privy Council.

3. MINISTERIAL OFFICERS.

The other Officers of the corporation are all appointed by the governing body, with the exception of the inspectors of weights and measures, who are appointed by the magistrates.

Recorder.

The Recorder is appointed for life, subject to approval by the King, and to removal by the Privy Council.

The charter requires that he shall be "a virtuous and eminent man."

He is a magistrate of the borough and the assessor of the civil court. The quarter sessions cannot be held, nor can any trial take place in the civil court, without the presence of himself or his deputy.

The present recorder is the Marquis of Exeter, who has twice attended the sessions.

His influence in the corporation has appeared in the selection of the magistracy and council. It will further appear in exclusions from the franchise and in the occupation of property.—(*See* FREEMEN; PROPERTY.)

Deputy Recorder.

The Deputy Recorder is appointed by the recorder, and is removable by him; he is also removable by the Privy Council.

The charter requires that he shall be "a virtuous and honourable man, skilled in the laws of England, and who has been a barrister."

He

STAMFORD.

He is a magistrate of the borough, and regularly attends the quarter sessions.
No salary is paid by the corporation.
The present deputy is J. Hildyard, esq., a barrister on the Midland Circuit.

Coroner.

The Coroner is annually chosen from the aldermen, and removable both by the governing body and by the Privy Council.
His jurisdiction within the borough is exclusive; and he receives 6*s.* 8*d.* on every inquest.

Town Clerk.

The Town Clerk is appointed for life, subject to the approval of the Crown, and to removal both by the governing body and by the Privy Council.
The charter requires that he shall be a "virtuous and discreet man."
He is clerk of the peace for the borough; clerk of the Crown to enrol recognizances of statute merchant and statute staple; and clerk of the borough magistrates.
He issues the process of the civil court, enters its judgments, and taxes the costs.
He attends all meetings of the corporation, records their proceedings, and acts as their legal adviser.
His salary is 4*l.* per annum; and the incidental emoluments of the office are estimated by him at 137*l.* a year, independently of professional profits as solicitor of the corporation. (*See* Expenditure.)

Chamberlains.

The Chamberlains are elected from the capital burgesses, who are generally taken in rotation if they are resident; and they are removable by the governing body.
They are the stewards and treasurers of the corporation. Although two are appointed, the duties of the office are performed by one.
Their joint salary is 6*l.* a year, which is received by the one who acts.

Gaoler.

The Gaoler is annually appointed, and is removable by the governing body.
He receives a salary of 4*l.* a year from the corporation, and 70*l.* from the borough stock, with a house rent-free.

Keeper of the House of Correction.

The Keeper of the House of Correction is annually appointed, and is removable by the governing body.
His salary is 3*l.* 6*s.* 8*d.* a year.

Bailiff of the Liberty.

The Bailiff of the Liberty is annually appointed, and removable by the governing body.
His functions are similar to those of a sheriff. Writs of inquiry are taken before him, and he executes the process of the civil court; levies fines imposed by the corporation; summons the sessions' juries; and makes proclamation before the Parliamentary elections.
Besides his fees as an officer of the civil court, which are regulated by a table, he receives 4*d.* for every summons of a sessions jury, 2*l.* 2*s.* for every proclamation, and 2*l.* 2*s.* at the election of Members of Parliament for the borough.

Serjeants at Mace.

The Serjeants at Mace are annually appointed, and removable by the governing body.
They execute the warrants of the municipal authorities.
One of them receives a salary of 12*l.* a year; the other has no salary. Their perquisites are 3*l.* 3*s.* for a cloak; 2*s.* 6*d.* on the admission of freemen; the same on the election of a capital burgess; 5*s.* on that of an alderman; and 2*s.* 6*d.* when the corporation seal is affixed. These fees are paid to both.

Chief Constable.

The Chief Constable is annually appointed, and removable by the governing body.
He has the immediate control of the borough police; is billet-master; passes the Scotch and Irish vagrants through the town; and is the official servant of the magistrates.
His salary is 10*l.* 10*s.* a year from the borough stock, besides fees for executing warrants, which amount to about 18*l.* per annum. As billet-master he receives 1*s.* for every cart or waggon pressed to convey baggage.
This officer is appointed by the mayor and chamberlain to keep their accounts, for which he receives 20*l.* from the former, and 6*l.* from the latter.

Receiver of Assize Returns.

The Receiver of Assize Returns is annually appointed, and removeable by the governing body.
His duty is to attend the market, and report the price of corn.
His salary is 13*l.* a year.

Collector of Stallage.

The Collector of Stallage is annually appointed, and removable by the governing body.
His salary is 20*l.* a year.

Beadle and Wardman.

The Beadle and Wardman is annually appointed by the governing body.
His duty is to superintend the watchhouse, which he occupies rent-free.
His salary is 1*l.* 1*s.* per week, which is paid from the borough stock; with a livery from the corporation.

Crier.

The Crier is appointed by the governing body.
He performs the ordinary duties of such an office, and receives fees from those who employ him. The corporation only provide a suit of livery.

Inspectors of Weights and Measures.

The Inspectors of Weights and Measures are appointed by the magistrates.
They receive no salary.

STAMFORD.

Two Inspectors of Meat and Ale-tasters.

The Inspecters of Meat and the Ale-tasters are annually appointed by the governing body.

Their offices are nominal, and they receive neither salary nor emolument.

Union of Offices.

The offices of Gaoler, Keeper of the House of Correction, Bailiff of the Liberty, Serjeant at Mace, and Inspector of Weights and Measures, are united in the same person.

The offices of Chief Constable, Serjeant at Mace, Inspector of Weights and Measures, Receiver of Assize Returns, Collector of Stallage, and Deputy Clerk of the Market, are also united in the same person.

FREEMEN:

The FREEDOM is acquired by Birth, Apprenticeship, Purchase or Gift.

Title to Admission.

All the Sons of Freemen, if born within the town, are entitled to admission at the age of 21.

All Apprentices bound within the town are entitled to admission after seven years' service. It is not necessary that the master should be a freeman.

Admissions by Purchase are only obtained with the consent of the governing body, and residents only are eligible. The sum paid has varied from 6*l.* to 15*l.*

Honorary Freemen are created by the governing body without limitation. The Parliamentary Candidates for the borough are usually presented with the freedom.

Fees on Admission.

The Fees paid on Admission amount to 10*s.*, one half of which is paid to the town clerk, and the other half to the serjeant at mace. Honorary freemen pay 5*l.* 5*s.* to the town clerk, and 1*l.* 1*s.* to each of the serjeants.

Privileges of the Freemen.

The Freemen have no collective functions. Their personal Privileges are,

1. A qualified right of common over 1,200 acres of open field land, which lies close to the town on the north side of the river. About 52 acres of this land are waste, and may be stocked throughout the year, but the remaining portion is freehold, which can only be stocked during the time it lies fallow.

The stint established at the last manorial court restricts the number of cattle and sheep to six heifers or cows, three calves less than a year old, and six sheep; the number of horses is unlimited. This privilege is confined to residents, and now enjoyed by about 30 persons.

2. An exemption from customary tolls throughout the kingdom.
3. Exemption from service on juries without the borough.
4. An exclusive right of trading within the town.

Tradesmen of the town are occasionally summoned to take up their freedom, but there have been no proceedings against those who have neglected to obey the summons.

The present body of freemen form but a small portion of the inhabitants of the town, and during the last five years the number of admissions has considerably diminished. Those who are entitled by birth or apprenticeship only take up their freedom for the purpose of stocking the common; and among the other inhabitants few are disposed to purchase it. The number of those who are willing to pay the fine is restricted in practice by the exclusion of all who have erected any building upon the waste, which lies on the skirts of the town. The professed object of this exclusion is to protect the freemen in the exercise of their right of common; but many of these buildings confer the right of voting for Members of Parliament, and those votes have generally been given in opposition to the Exeter interest.

The town was extending in this direction when the Marquis of Exeter, as lord of the manor, gave notice that the new buildings would be pulled down. An action has been recently brought against a voter in the opposite interest, for one of these erections. It was brought in the name of the chief constable, by the Marquis of Exeter's attorney. Judgment was suffered by default, and the costs and expenses of the action amounted to 70*l.* This voter, after paying 30*l.*, was released, and at the next election he voted in the Exeter interest. He says, that if he had continued to vote with "the Blues", he supposes he must have paid the whole. No action has been brought against the supporters of that interest.

IV.

JURISDICTION.

The borough Jurisdiction is exclusive.

Magistracy.

The Magistrates are, the Mayor, Aldermen, Recorder and Deputy Recorder.

Local Courts.

The Local Courts are,

1. A court of quarter sessions.
2. A civil court of record.

1. Sessions.

The court of Quarter Sessions is regularly held four times a year. The recorder or his deputy, with two at least of the other magistrates, must be present.

The deputy recorder and several of the aldermen usually attend. The recorder has twice attended, in the absence of his deputy.

This court has cognizance of all offences committed within the limits of the borough; and with the exception of forgery and capital crimes, all offences are tried.

Prisoners charged with capital offences are sent for trial at Lincoln. It is proposed by the corporate authorities, as a matter of local convenience and economy, that they should have power to commit them for trial at the Rutland assizes. Their reasons are stated in a

paper

paper transmitted to us by the town clerk, and signed by the mayor, six other magistrates, and several members of the council :

" We the undersigned members of the corporation of Stamford do hereby suggest, that it would be a great convenience and saving to the inhabitants of Stamford, if prisoners charged with capital offences could be committed to and tried at the Rutland assizes, (a county adjoining the borough), held at Oakham, distant from Stamford 11 miles only, where the business never occupies the court more than one day, and often but for a few hours; instead of their being sent to Lincoln, (as they are at present obliged to be), which is distant from Stamford 46 miles; and where the business of the assizes generally occupies most part of a week, and consequently often detains from their homes and business, the witnesses, attornies, and all parties who may be concerned in the respective prosecutions; and that this might (as it appears to us) be the easier accomplished on account of the small number of prisoners committed to Oakham Castle from the county of Rutland."

Juries.

The selection of the Juries is left to the bailiff of the liberty, a subordinate officer of the corporation, who is restricted by no rule, and upon all ordinary occasions has no other guide than his own discretion. On " particular occasions " he states that he consults the town clerk. The town clerk says that the order of rotation is observed as far as it can be. We examined several of the grand-jury lists framed for ordinary occasions, which presented no evidence of political exclusion, although in all cases there was a majority of jurors voting in the Exeter interest. It was observed in explanation, that a majority of the principal tradesmen in the town coincide with the corporation in their political sentiments; a fact we were unable to verify.

We also examined a panel formed on one of those " particular occasions " where the town clerk appears to have been consulted. The occasion was this: at the Michaelmas sessions of 1830, bills had been preferred by the magistrates against persons charged with a riot at the preceding election of the mayor. The grand jury, to whom these bills were presented, was, with one exception, exclusively composed of the political adherents of the Exeter interest. The one exception was an individual who voted on both sides. True bills were found, and the proceedings were then removed to the assizes.

Costs.

The Costs of prosecution are regulated by a table of fees, which accompanies our report.

Appeals.

Appeals against rates are heard by this court.

Borough Rate.

A Borough Rate is imposed by the magistrates; and it is matter of complaint that charges are thrown upon this rate which are not authorized by the Acts of Parliament. The repairs of bridges and other public works were among the instances adduced. The town clerk says, in explanation, that it has always been so, and that, in the absence of local Acts, the magistrates, he considers, have power to assess the inhabitants for these purposes.

The amount raised for the year 1832 was 1,870*l.* It is assessed in the following proportions:

Proportions of borough-rate assessment for 100*l.*:

	£.	s.	d.
All Saints	25	–	–
St. Mary	15	–	–
St. Michael	25	–	–
St. John	16	17	6
St. George	18	2	6
£.	100	–	–

The Expenditure was as follows:

	£.	s.	d.
Balance of account last year	329	2	1
Passing, conveying and maintaining vagrants	75	9	6
Salary to gaoler, four quarters	70	–	–
Maintenance and necessaries for prisoners at the gaol and house of correction	49	2	11
Expenses attending sick vagrants and prisoners	80	16	4
The town clerk and clerk of the peace, for prosecutions and proceedings	117	13	–
Constables, for journies to apprehend offenders	24	3	11½
Payments to sessions' juries, and for summoning same	6	14	6
Coroner's bills on five inquests	15	13	8
Repairs of bridges, pumps, drains and other public works	29	8	4½
Treasurer's salary	20	–	–
The chief constable's salary	10	10	–
Receiver of assize returns, the like	13	–	–
Abel Blades and William Himpson, beadle and constable, for superintending the watch and ward	70	17	1½
Payments to special constables and additional watchmen at Mid-Lent fair, and at other times during the year	167	10	10
Paid subsistence of discharged prisoners passing through the town	29	17	11½
Gas consumed at public lamps, one year	5	–	–

STAMFORD.

	£.	s.	d.
Gas consumed at the town-hall, one year	11	–	5
Ditto watch-house	6	6	–
Paid witnesses for loss of time attending various prosecutions at sessions	9	6	3
Fires and expenses of magistrates and other public meetings at the town-hall	20	10	–
Paid towards discharging the sum expended in building the gaol	300	–	–
One year's rent of watch-house and engine-house	10	–	–
Postage of letters	1	9	8
Maintenance of prisoners in the watch-house	4	9	–
Thomas Living, one year's salary for looking after the fire-engines	5	5	–
Stamps for receipts	1	7	–
Printing, advertising, books and stationeries	50	7	1
Coals used at the watch-house and gaol	12	10	1
Expenses of the vagrant office establishment	64	7	7
William Forbes, esquire, militia payment	1	9	–
John Haselby, for limewashing the watch-house and females' prison, according to contract	3	–	–
Paid for staves for special constables	7	7	6
Chief constable, payments made for soldiers' baggage	5	6	6
William Himpson, sticking up and distributing handbills	–	4	–
Chief constable, for 41 baggage warrants	2	1	–
Paid Lowson & Jones, gas-contractors, for gas consumed at the public lamps during the training of the South Lincoln militia, as ordered by the justices	33	11	7
Paid various bills for rugs and blankets, for the use of prisoners in the watch-house and gaol	7	1	10½
John Selby, allowance for a public drain running through his estate	–	8	5
Paid expenses of prosecution, in the case of Mr. George Baker *v.* Hibbett, for felony	4	7	4
Messrs. Woolston & Baker, on account of work executed at the new bridge at Newstead	50	–	–
William Swain, one year's salary for keeping public pumps in repair	4	–	–
Paid various bills for fitting up the vagrant office	47	9	11
£.	1,778	5	5½

An abstract of the receipts and expenditure was published in conformity with the Act of Parliament.

2. Court of Record.

The civil court, called the Court of Record, is appointed to be held every week.

The judges are, the mayor, the recorder, and the aldermen; and it is necessary that either the mayor or his deputy, with two at least of the aldermen, should be present at every court. No trial of an issue can take place without the presence of the recorder or his deputy.

This court has cognizance of all personal actions where the damages do not exceed 40*l.*

The juries are impanelled by the bailiff of the liberty.

The proceedings are the same as in the superior courts, by capias, distringas, declaration, plea, &c., fi. fa., &c.; and the process of the court is executed by the bailiff.

Costs are regulated by a table of fees settled in 1741, and the attorneys' bills are taxed by the town clerk, who is registrar of the court.

The average cost of an action settled on mesne process is 10*s.*

The claims of the parties are generally settled without a trial, at the recommendation of the court; and in this way about 10 causes are annually disposed of. Within the last 15 years there have been eight writs of inquiry and two trials.

All attorneys are allowed to practise in this court, but they rather discourage the resort to it. The causes assigned for this are, that the proceedings are dilatory, the practice uncertain, the fees inadequate; the causes removable before judgment, and the limits of the jurisdiction inconvenient.

Gaol.

The Gaol contains three yards, three day-rooms and 12 sleeping cells; consequently, when there are women in the gaol, two divisions only can be made of the male prisoners. Women, however, are seldom sent there. The largest number of prisoners of late years has been 16.

The magistrates occesionally visit the gaol, but not frequently. Of late their visits have been more frequent. Some clergymen attended the prison for a few months, but their attendance is now discontinued; and the prisoners are without religious instruction. A bible and prayer-book have been placed in each of the day-rooms, but the prisoners have destroyed most of them.

Their allowance is 4*d.* a day, and they find their own diet. The allowance was formerly 6*d.*, and was reduced to 4*d.*, as it was discovered that they had saved money.

The gaoler has an inspection of two of the yards from his house. Prisoners in the different yards can converse with each other, and have no kind of employment. The effects of such a wretched system of management may be easily anticipated. "The prisoners," said

said the gaoler, "scratch the walls, cut the tables, and do all manner of mischief. I believe a man generally comes out of a gaol a worse man than he goes in." STAMFORD.

The local Police consists of the chief constable, 12 petty or parochial constables, 24 special constables, and six night watchmen. Police.

It is entirely under the control of the magistrates of the borough.

The appointment and salary of the chief constable have been stated. The other constables are appointed by the magistrates, and paid out of the borough rate.

For the night watch the inhabitants are summoned in rotation, but few of them choose to attend.

This police force is expensive and inefficient, even upon ordinary occasions. "The watch," says the town clerk, "is as bad as possible;" and the petty constables are described by the chief constable as persons who do nothing. They are chosen among the tradesmen; and their station, he says, is too high for efficiency. So far from receiving any support from the inhabitants, this officer complains, that if an offender were taken by the police, whether it was day or night, and whatever the cause might be, many would be disposed to rescue, and none to assist. As an instance of this he stated that about two years ago a poacher was rescued in the market-place, in the middle of the day, while 600 persons were looking on, not one of whom would give any assistance to the police; that the constable was ill-used, and the offender, after the rescue, was carried in triumph through the market. And as a proof that this insubordination did not arise from the character of the offence, he added, that nobody knew for what offence the prisoner had been taken up.

Upon occasions of political excitement the inhabitants are unwilling to act as special constables, and they cannot be relied on by the magistrates for support. At the last election but one, many persons were summoned to be sworn in from the nighbouring villages, in which the Recorder has considerable property and influence; and among them were several labourers who were then employed at Burleigh House. It does not appear that any were summoned from the village of Little Casterton, although it is nearer to the town. In this village the Recorder has no property. These villagers and labourers acted as special constables, but the chief constable says that they were not sworn in, nor were they under his control. The ordinary force under his control were not called upon to act, because he considered them to be partisans, and nobody could be found in the town to act against his own party. He told the mayor that the local police was useless, and an application was consequently made by the town clerk to the authorities in London, who sent down assistance.

The mayor and another magistrate corroborate the statement of their officer, that special constables could not have been found among the inhabitants of the town to act impartially.

The corporation do not interfere in the management of the Poor. Poor.

At present the parish of St. Martin's, which includes a wealthy and populous division of the town, is excluded from the corporate jurisdiction; and difficulties are experienced in executing warrants. As a reason for extending the jurisdiction beyond the town to the adjacent villages, it was stated that three-fourths of the writs issued from the court of record are served in these villages. Proposed Extension of the Jurisdiction.

V.

The Patronage of the corporation consists of the following appointments: PATRONAGE.

1. The master of the Grammar School is appointed by the mayor, with the advice and consent of the master of St. John's College, Cambridge.

2. The rector of St. John's, Stamford, is appointed by the mayor and the Marquis of Exeter, alternately.

3. The vacancies in Lord Burleigh's Hospital are filled up by the mayor, the Marquis of Exeter, and the parish of St. Martin's, jointly.

4. The inmates of Snowdon's Hospital, St. Peter's Hospital, and All Saints Callis, are appointed by the mayor alone.—(*See* HOSPITAL FUNDS.)

The Grammar School is of little use to the inhabitants of the town, and has for many years continued in the same state. The number of boys has varied from six to 12. Grammar School.

The income of the master is 548 *l.* a year, arising from estates in the town; and in addition to his salary, he is provided with a good house.

The decline of the school is attributed partly to the system of education, and partly to the misconduct of the late master. The education has been confined to the classics. The late master, who was a brother-in-law of the mayor by whom he was appointed, neglected his duties, and left the house in a state of dilapidation.

His successor is not yet appointed, and the vacancy has now continued for nine months, in consequence of a dispute between the present mayor and the master of St. John's College, Cambridge, with regard to the management and discipline of the school. In the meantime an offer of 1,000 *l.* has been made to the former by a candidate for the appointment, and refused.

VI.

The Revenues of the corporation arise principally from real estates within the borough. PROPERTY.

This Property consists of houses and land, shambles, a water-mill, and the sheep market.

Out of 26 Houses within the town, 10 are let on long leases to the Recorder, and are underlet by him; the other 16 are occupied by yearly tenants, the majority of whom are voters in the Exeter interest.

STAMFORD.

The present value of the houses tenanted by the Recorder is at least 150 *l.* a year. The rent he pays to the corporation is 51 *l.* a year. Improvements have been made by the lessee, the extent of which we were unable to ascertain with any accuracy.

The town clerk states, that if these houses had been let by auction, there is very little doubt that higher rents might have been obtained. Experience, he says, proves that, in all cases of public property, publicity is advantageous; and as an instance of this he mentioned the school property, the revenues of which have been doubled since public notice has been given of the leases. This notice has been given in consequence of an order from the Court of Chancery.

The watch-house and engine-house belong to the corporation, and they charge the inhabitants 10 *l.* a year for the use of them. This rent is charged in the borough rate.

Lands.

The Lands are held upon very unequal terms. One of the tenants, lately deceased, was allowed to occupy 16½ acres of arable land, at a rate of 11 *s.* 6 *d.* per acre, while he was underletting a part of the same land at rather more than 1 *l.* an acre. His tenancy was from year to year, and the occupation is still continued upon the same terms in his representative.

Another tenant occupies 50 acres of land of precisely the same quality, and in a similar situation, for which he pays 57 *l.* a year, and this is allowed to be the fair annual value. In the former case the tenant was an Alderman, and his representative is an Alderman; in the latter he is unconnected with the corporation.

A meadow, which is admitted to be worth 3 *l.* per acre, has been let from year to year at 1 *l.* 5 *s.* 2 *d.* per acre. This tenant also was an Alderman.

The value of this and of all other property in the borough would be considerably improved, and in some situations even quadrupled, by the Inclosure of the open field lands on which the freemen have a qualified right of common. The Corporation are quite aware of its importance, and about three years ago a committee was appointed to confer with their Recorder upon the subject. The recorder is lord of the manor. It is stated by the town clerk that the committee strongly, but ineffectually, urged upon him the advantages which the town would derive from the inclosure, and that they did everything in their power to gain his consent. He objected to those erections on the waste, which have already been adverted to as the occasions of exclusion from the freedom. Besides this objection, he expressed his intention of adding to his own property in the neighbourhood before he consented to an inclosure; and he has recently been making new purchases. The town clerk added, there were other objections of a private nature, which could not be communicated without a breach of confidence. But without communicating these objections, he admitted that, by the inclosure, the value of the recorder's property would certainly be increased, and that his political influence in the borough would probably be diminished.

A schedule of the corporation lands and buildings, with the terms on which they are now occupied, will be found in a table accompanying our Report.

Contingent Receipts.

In addition to the revenue arising from real property, there are Contingent Receipts from fees and fines. On an average of the last 10 years the amount annually received on the admission of freemen has been 38 *l.* 6 *s.*; but this amount has been diminishing, and the average of the last half of that period is only 15 *l.* 12 *s.*

Income.

The following is a summary of the chamberlain's 'charge' during the year 1832–3:

	£.	s.	d.	£.	s.	d.
Rents of lands and houses	361	9	6			
butchers shambles	193	11	–			
				555	–	6
Tolls				98	–	6
Fines on admissions to the freedom and offices				25	–	–
Loans				1,800	–	–
Taxed costs in toll cause				486	–	–
Arrears of rent				12	18	9
			£.	2,976	19	9

The 'abatements craved' by the chamberlain, and allowed, amounted to 105 *l.* 9 *s.* 9 *d.* These abatements were chiefly on account of shambles unoccupied.

The Tolls which appear in this charge were collected at the markets and fairs till March 1832, producing 150 *l.* per annum. They have recently been the subject of an expensive lawsuit, which was decided in favour of the corporation. The collection was considered a great burden to the town, and in June 1831 a petition for their abolition, signed by a considerable number of the inhabitants, was presented to the corporation, accompanied by an offer to provide an equivalent.

In March 1832 the following resolution was passed by the common council:

"That thinking the corporation have not the power to abolish the said tolls, this hall is notwithstanding desirous of meeting the wishes of the petitioners by suspending the collection of them."

The collection is consequently suspended.

Other tolls are collected under the authority of the corporation, for the maintenance of the navigation of the New River, which connects Stamford with the sea —(*See* Alienations.)

The

The permanent annual charges on this income are: Charges and Liabilities.

1. Quit rents chargeable on the estates, and amounting to 2*l.* 19*s.* 8*d.*

2. Payments on account of various charities, amounting to 18*l.* 14*s.* 6*d.* These payments are made on account of several sums received by the corporation at different periods, of which no further explanation could be given.

3. The interest on 100*l.* bequeathed in 1648 by the representatives of the Countess Dowager of Exeter, to be distributed in bread to the poor.

4. An annual payment of 8*l.* to the steward of the races, towards finding a town plate. The origin of this charge is unknown.

In addition to these permanent charges, three life annuities, amounting to 150*l.*, are now charged on the income. These were granted in consideration of 2,800*l.* advanced to the corporation. Of this sum, 1,000*l.* was advanced in 1808, and expended in erecting the shambles. In 1830 a further sum of 600*l.* was advanced; and in 1832 the remaining 1,200*l.*, the whole of which was expended in law proceedings; partly in a chancery suit connected with the grammar-school, but principally in the toll cause. Debt.

There are also two principal debts amounting to 240*l.*, on which 5*l.* per cent. interest is paid, One of the two was incurred in 1813, when 100*l.* was borrowed for law expenses attending a chancery suit to recover possession of the navigation; and the remaining 140*l.* were borrowed in 1819, for repairs of the town-hall.

The Expenditure is arranged by the chamberlain under the heads of certain and uncertain payments: Expenditure.

1. Certain Payments:

	£.	s.	d.
Salaries	139	4	10
Insurance	8	15	–
Quit rents, &c.	2	19	8
Annuities	150	–	–
Interest of money	47	15	3
Rates and taxes	65	6	10½
Sundries	114	1	11
£.	528	3	6½

2. Uncertain Payments:

				£.	s.	d.
Repairs				117	4	1
Entertainments				111	10	–½
Sundries				854	17	1½
Town clerk's bill of costs in toll cause	£. 60	6	7			
Plaintiff's taxed costs in toll cause	35	–	–			
Costs in nine other causes	1,073	9	9			
Gratuities to corporate officers in the above business	21	–	–			
Town clerk's bill for cases and opinions respecting the manorial rights of the corporation	62	–	5			
				1,251	16	9
Subscription towards repairing St. Michael's church				5	–	–
Advertising, &c.				5	2	6
£.				2,345	10	6

The "Interest" includes the permanent annual charges for charitable purposes. Among the Sundries which appear in the certain payments, the principal are these:

	£.	s.	d.
Expenses of collecting tolls	13	–	–
Payments out of stallage account	79	6	2
£.	92	6	2

Among the sundries in the uncertain payments are these:

	£.	s.	d.
Balance of last account	337	15	8
Debts paid off	350	–	–
Town clerk's bill for annuity deeds	66	16	8
£.	754	12	4

The Accounts are audited by the mayor, aldermen and six capital burgesses, who are annually appointed for that purpose. The auditors sometimes join in passing their own bills; a practice which appears to be no less common than objectionable. Audit.

The accounts are not published, nor are the freemen allowed to inspect them.

STAMFORD.
Alienations.

The navigation of the New River has been granted away in perpetuity, at a nominal rent of 1 *s.* a year, with a fine of 100 *l.* payable every 40 years.

This grant, which is admitted to have been improvident, was originally made to an Alderman of the borough. The navigation is said to be very productive, and about 15 years ago the corporation refused to renew the lease; but they were compelled to do so by a decree of the Master of the Rolls.

Other alienations of property have taken place, the extent of which cannot be ascertained with any certainty. In some cases the amount received is not entered in their books, and in others there is no entry of the sale.

In 1796 an estate was sold to the Earl of Exeter for 800 *l.*, and this sum is supposed to have been expended on the houses which are tenanted by the present Marquis. In 1807 other corporation estates were sold to his trustees; but neither the amount of the purchase money, nor the purposes to which it was applied, are recorded. In the hall book, which professes to be a record of the corporation proceedings, an order appears to sell the property in question by auction; which order is followed by a correspondence with one of the trustees, on the subject of the purchase. The order to sell by auction is then rescinded, and a second order is made for the sale which actually took place. The only trace of the purchase money is an entry in the chamberlain's account, showing that 110 *l.* were received in part payment.

The total amount which is entered in the books, as the proceeds of alienations during the last 50 years, is 3,661 *l.* The amount not entered is only matter of conjecture. A sum of 780 *l.* is supposed to have been received for premises sold in 1805; and in 1808 there was again a sale, but the sum received in this case cannot be assigned even in supposition. After a sale in 1801 a sum of 920 *l.* was invested in stock; and of this sum no further account could be given. It is supposed to have been a temporary investment, and to have been again sold out for the purpose of defraying the expense of erecting the new shambles. No stock now belongs to the corporation. The cost of the shambles, including that of the premises on which they are built, is supposed to have been 3,000 *l.* Another sum is said to have been expended on houses in the town, which form a part of the present property.

The appropriation of the proceeds is in every case a matter of conjecture.

VII.
HOSPITAL FUNDS and Charities.

The Funds of the following Hospitals are under the control of the corporation:

1. Snowdon's Hospital.
2. All Saints Callis.
3. Peter Hill Hospital.

1. Snowdon's Hospital.

The revenue of Snowdon's Hospital is about 150 *l.* a year, derived partly from houses and land in the borough, and partly from legacies. One of four houses which form a part of the property, is let to the Marquis of Exeter.

The expenditure of the last year was as follows:

	£.	*s.*	*d.*
Weekly payments to eight poor women	38	17	6
Repairs, &c.	22	9	2¼
Charge omitted in last year's account	9	2	–
£.	70	8	8¼

The balance in hand was, 80 *l.* 2 *s.* 11¾ *d.*

2. All Saints Callis.

The revenue of All Saints Callis is about 60 *l.* a year, which is the interest on seven distinct bequests to the hospital.

This sum is expended partly in weekly, half yearly, and yearly payments to seven poor women who are inmates of the hospital; and partly in paying off an old debt incurred in repairing the building. These payments last year amounted to 58 *l.* 13 *s.*, and the debt is now reduced to 1 *l.* 1 *s.* 10 *d.*

3. St. Peter's Hill Hospital.

The revenue of St. Peter's Hill is 52 *l.* 12 *s.* 1 *d.* a year, which is the interest on four sums given or bequeathed to the hospital.

It is expended in weekly payments to the eight inmates.

4. Charity Funds.

The other Charity Funds entrusted to the corporation are these:

Walsham's Charity.—The funds of this charity arise from houses in the town, which now produce 27 *l.* a year.

This sum was last year expended thus:

	£.
Payment to the poor of All Saints	5
— St. Germans	5
Repairs, &c.	17
£.	27

Lady Buck's Money.—This is a small fund of 2 *l.* 6 *s.* 6 *d.* a year, which is distributed in equal proportions among the poor of All Saints, St. John's and St. Martin's.

Exhibition

Exhibition Money.—A sum of 142 *l.* 10*s.*, applicable to this purpose is in the hands of the mayor. It is called Truesdale's Money.

For Coals.—An annual sum of 54 *l.* 4*s.* 4*d.* is appropriated to the purchase of coals for the poor, which are distributed by the mayor.

Mrs. Chamberlain's Money.—This is the interest of 400 *l.* three per cent., bequeathed by Mrs. Chamberlain, in trust for the three hospitals under the control of the corporation, jointly with "Williamson's hospital." They each receive 3 *l.* a year.

The other gifts and bequests for charitable purposes form a part of the hospital revenues, which have been enumerated.

VIII. STATE OF THE TOWN.

The Statistical Condition of the borough appears from the following official returns:

1. Population:

Year.	Total.	Increase.
1801	4,022	—
1811	4,582	560
1821	5,050	468
1831	5,837	787

The number of males in 1831 was 2,691. The population of St. Martin Stamford Baron is 1,225.

2. Occupations:

Families	Agricultural	64
	Trading, manufacturing, &c.	711
	Not comprised in these classes	429

3. Houses:

1821	919
1831	1,130

The number in the parish of St. Martin Stamford Baron, is 155.

Number of houses taxed at 10 *l.* and under 20 *l.* rent	172
20 *l.* - - - 40 *l.*	144
40 *l.* and upwards	24
*Total of 10 *l.* and upwards	340

4. Annual Value of Real Property:

In 1815 the amount returned was 10,699 *l.*

5. Parochial Assessments:

1825	£. 2,286 2 —
1829	2,286 18 —

6. Assessed Taxes:†

1829	£. 3,320 7 1½
1830	3,340 9 3
1831	3,224 8 9¾

7. Parliamentary Constituency:

1832	851.

The only Local Act relating to the borough is an Act to establish a company for lighting the borough of Stamford, in the county of Lincoln, and St. Martin's Stamford Baron, in the county of Northampton, with gas.

IX. SUMMARY and Observations.

The Freedom of this borough is confined to a small section of the Inhabitants, and it confers no constitutional privileges.

The freemen have no share either in the election of their officers, or in the management of corporate affairs; they are not even allowed to inspect the annual accounts of the income and expenditure.

The appointment of all local functionaries, and the powers of local government, are entrusted to a select body, composed of the Magistracy and Council, and called the corporation. This Governing Body is self-elected, and formed on a principle of rigid political exclusion. The political interest in which they are all chosen, and which they may be said to represent, is that of the Marquis of Exeter, their recorder. No opponent of this interest is considered eligible for the magistracy, for the council, or for any corporate office.

Such an abuse of their electoral trust has alienated from the municipal authorities a large class of the inhabitants; and as justice can only be administered by one political party, suspicions are entertained that the same magisterial protection which is afforded to their political friends

* The number of houses in the municipal borough worth 10 *l.* a year and upwards, is 400. The number in St. Martin Stamford Baron, is 60.—Bound. Rep.

† The parish of St. Martin Stamford Baron is included in the Tax Returns.

STAMFORD.

friends is not extended to their political opponents. Hence a spirit of hostility to the power and authority of the magistrates, which is strikingly exemplified in the inefficiency of the local police placed under their control.

Such is the indisposition on the part of the Inhabitants to support the legally constituted authorities, that an offender has been rescued in open day, while 600 persons were looking on, not one of whom would render any assistance; and while the officer was ill used, the offender was carried in triumph through the market-place. Nor can this be attributed to any unpopularity attending the offence, for it was unknown to those who effected the rescue. Upon occasions of political excitement the Police itself cannot be relied upon, and the peace of the town can only be maintained by assistance obtained beyond the precincts of the corporate jurisdiction.

The suspicions of partiality which attach to the municipal magistracy extend to the Juries of the borough sessions, which are impanelled by the chief constable under the control of the town clerk; and it appeared, in justification of these suspicions, that upon a recent occasion of prosecutions by the magistrates, for riotous proceedings at an election, the grand jury to whom their bills were presented had been selected from their own party only.

This is the working of the present system with reference to the administration of justice.

In the management of the town Property, which is uncontrolled either by responsibility or publicity, the same political influence prevails, accompanied with such official negligence as to leave the extent of the alienations and appropriations mere matter of conjecture.

An estate was sold some years ago to the trustees of the Recorder; but there is no official entry of the sale, and the appropriation of the proceeds remains unknown. The only notice of the transaction is a correspondence with the trustees, followed by the rescinding of an order that the estate should be sold by auction. Nor is this a solitary instance. Other estates have been disposed of in the same way, without any account of the proceeds; and the navigation, which is said to be very productive, was alienated long ago to an Alderman.

Of the property that still remains, a considerable part has been let upon long leases to the Recorder, and is underlet by him to scot-and-lot tenants, who by these occupations acquire a vote for the borough. Another part is occupied by scot-and-lot tenants, the majority of whom are voters in his interest. A third portion is occupied by Aldermen, upon terms more favourable to themselves than to the revenues of the town. These revenues, however, are not expended on objects of local utility, and their amount is consequently of little local importance.

They are now charged with a Debt contracted in expensive law proceedings to establish a title to tolls, which have since been abandoned. The tolls produced 150*l.* a year, and the annual charge arising out of these proceedings is 120*l.* a year.

The value of all property in the town and its neighbourhood would be materially improved by the Inclosure of the open field lands which extend over a considerable portion of the borough. The interests of the corporation, both collectively and individually, are in this case identified with those of the inhabitants, and they have urged upon their Recorder the local importance of the inclosure; but although his own property would be improved, as well as that of the whole community, he will not consent to the improvement at the expense of his political influence. He objects to the recent extension of buildings upon the waste, which have led to an extension of the electoral franchise unfavourable to that influence; and there were other objections which the corporate authorities were not at liberty to communicate.

The Defects and abuses which appear in the working of the Constitution may be summed up thus:—The great majority of the respectable inhabitants are excluded from the corporate body; the freemen are excluded from any control over the local functionaries; and the political opponents of the recorder are excluded from the magistracy and council.

Under this exclusive system the administration of justice is suspected, the police totally inefficient, and the town property mismanaged; while the influence of the municipal functionary, in whose political interest the council is elected, the magistracy appointed, and every office is filled, so far from being exercised in promoting the local interests of the borough, is exercised to check the natural progress of improvement.

X.

DOCUMENTS.

The Documents accompanying this Report are,—

1. A Translation of the Governing Charter.
2. A Table of the Fees taken in the Court of Record.
3. Tables of the Town Clerk's Fees as Clerk of the Peace and Clerk of the Magistrates.
4. Gaol Regulations.
5. A Schedule of the Corporation Property.
6. A Return of the Property Alienated within the last 50 years.
7. A Schedule of the Tolls.
8. A Schedule of the Permanent Debts.
9. A Copy of the last audited Account of the Chamberlain.
10. The last audited Account of the several Hospitals under the control of the Corporation.
11. A Copy of the Correspondence between the Mayor and the Master of St. John's College, Cambridge, respecting the Appointment of the Master of the Grammar School.
12. Copy of the proposed Rules and Regulations of the Grammar School.

George Long,
John Buckle.

REPORT

ON

THE BOROUGH OF THETFORD

(NORFOLK.)

CONTENTS.

	Page.
Limits of the Borough	2541
Charters	2541
Title of the Corporation	2541
Officers of the Corporation named in the Charter	2541
not named in the Charter	2541
Freemen, Number of	2541
Mayor, how elected	2541
Principal Burgesses, how elected	2541
Members of the Commonalty, how elected	2541
Recorder, how elected	2541
Town Clerk, how appointed	2541
Coroner, how appointed	2542
Chamberlains, how elected	2542
Inferior Officers, how appointed	2542
Fines	2542
Freemen, how created	2542
Ruling Body, functions of	2542
Mayor, functions of	2542
Principal Burgesses, functions of	2542
Members of the Commonalty, functions of	2542
Recorder, functions of	2542
Town Clerk, functions of	2543
Coroner, functions of	2543
Chamberlains, functions of	2543
Inferior Officers, functions of	2543
Freemen, privileges of	2543

	Page.
Courts:	
General Sessions	2543
Petty Sessions	2543
Court of Record	2543
Juries	2543
Police	2544
Gaol	2544
Poor	2544
Patronage	2544
Licenses of Public Houses	2544
Revenue	2544
Brandon Navigation	2544
Tolls	2545
Debts	2545
Expenditure	2545
Navigation Account	2545
General Account	2545
Borough Rate	2545
Charities	2546
State and Prospects of the Town	2546
General Remarks	2547
Documents	2547

BOROUGH OF THETFORD.

LIMITS of the Borough.

THE Borough of Thetford comprises the parishes of St. Peter, St. Mary and St. Cuthbert, and a cottage which is extra-parochial, and is situate within the counties of Norfolk and Suffolk.

CHARTERS.

The governing Charter is the 5th William and Mary, which recites a charter of 16 Eliz.; and the latter states that former charters, grants and confirmations have been from time to time granted to the inhabitants by former kings and queens of England. Nothing is now known of these charters.

TITLE of the CORPORATION.

The Title of the Corporation is, Mayor, Burgesses and Commonalty of the borough of Thetford, in the counties of Norfolk and Suffolk.

Officers of the Corporation named in the Charter.

The Officers of the Corporation, named in the Charter, are—

Mayor.
Ten principal Burgesses.
Twenty Members of the Commonalty.
Recorder.
Town Clerk.
Coroner.
Sword Bearer.
Two Serjeants-at-Mace.

Not named in the Charter.

The chamberlains are not named in the Charter.

Freemen, Number of.

There are about 10 resident Freemen, besides the officers of the corporation, and very few non-residents.

Mayor, how elected.

The Mayor and commonalty nominate every year two of the principal burgesses; one of whom is chosen by the inhabitants at large to the office of mayor for the ensuing year. It appears to be understood that the majority of the commonalty must be present at the nomination. Every male inhabitant of the borough of the age of 21 years is entitled to vote in the election of the mayor. The election is by show of hands; and for many years there has been neither a contest, nor a poll demanded. The inhabitants take but very little interest in these elections. They appear to be regarded as merely nominal. Sometimes one of the persons nominated is a non-resident; and at other times a person is named who is not likely to be chosen. Particular individuals have repeatedly served the office of mayor; and it appears to us that the nomination is always made in such a manner as to support the political interests of two families in the neighbourhood, the heads of which are considered the patrons of the borough.

Principal Burgesses, how elected.

The principal Burgesses are chosen for life by the mayor and burgesses from the inhabitants. The influence of the families already alluded to, appears always to have decided these elections. The charter directs that when any of the burgesses shall die, or dwell out of the borough, or be removed for any cause, a new one shall be elected. This, however, as far as non-residence is concerned, is disregarded. Five of the principal burgesses are at present non-resident. The residence of all of them is more than 28 miles from Thetford; and they take no part in general in the affairs of the corporation. It was formerly usual to canvass for the office of a principal burgess; but as it has lost much of its political importance by the changes effected in the parliamentary representation of the borough by the Reform Act, it is now less an object of ambition than formerly.

Members of the Commonalty, how elected.

The Members of the Commonalty are elected for life, from the inhabitants, by the mayor, the recorder or his deputy, and the coroner. The recorder seldom appears at these elections. On some occasions the coroner has been absent. The influence of the patrons of the borough appears equally to prevail in these elections as in those of the mayor and principal burgesses. There are at present three vacancies, which it is considered that the corporation cannot fill up, because there is no coroner in the present year; as will be explained presently. Three of the burgesses of the commonalty are non-resident. Since the late change in the representation, the inhabitants appear to have no desire to come into the corporation.

Recorder, how elected.

By the charter, the Recorder is to be elected by the mayor and burgesses, or the major part of the burgesses, during his life, or otherwise. It does not appear that a recorder has at any time been appointed for a shorter period than his life. It has been usual to select a person of high rank as recorder; and the duties of the office have been generally executed by deputy. The Duke of Grafton is now recorder.

Town Clerk, how appointed.

The Town Clerk is appointed by the recorder to act as his deputy, and holds his office during pleasure. He is an attorney.

THETFORD.

Coroner, how appointed.

The office of Coroner is directed by the charter to be held by the mayor of the preceding year.

Chamberlains, how elected.

Two Chamberlains are elected by the mayor, principal burgesses and commonalty, during pleasure; but are usually continued in office as long as they choose to hold it. One is commonly a principal burgess, and the other one of the commonalty. Of late, only one has acted.

Inferior Officers, how appointed.

The mayor is empowered by the charter to appoint a sword-bearer and two mace-bearers during his pleasure. There is at present only one mace-bearer.

Fines.

If a person duly elected mayor refuse to serve the office, the mayor and capital burgesses are empowered by the charter to send him to gaol, or to fine him.

Freemen, how created.

No Freemen have been admitted since 1804, except the members of the corporation, and the members for the borough. There is, however, sufficient evidence to prove that formerly the eldest sons of freemen were admitted to their freedom, as well as persons who had served apprenticeships to freemen; and the fine paid on their admission appears to have been 16*s.* 6*d.* The representatives of the borough have paid 10*l.* each on their admission, besides two guineas to the town clerk. Voluntary fees have been paid by the members of the corporation to the town clerk and the mayor's officers on their admission.

Ruling Body, functions of.

By the charter the principal burgesses are to be assistant to the mayor in all causes and matters touching the borough, and are to be the common council of the borough for the making of statutes, acts and ordinances touching and concerning the public utility and advantage of the borough, and the inhabitants thereof for the time being, by them or the major part of them, with the mayor, from time to time to be made for the better government of the men, and the causes, things and businesses of the borough.

The only evidence produced of the existence of any bye-laws was a manuscript book, the authority of which was not fully established, but which one of the principal burgesses, who had held his office since 1802, said he believed to be an authentic copy of the bye-laws of the corporation. One of the bye-laws in this book respected the admission of freemen by birth and servitude, and was stated to have been approved of by the judges of assize in 1694. By another, trading in the borough by persons not being freemen was prohibited. Some of them impose fines. None of these bye-laws are now acted on by the corporation.

The governing authority of the corporation, except as above specified, is exercised by the mayor, principal burgesses, and commonalty, in common hall assembled. The mayor and the majority of the whole body (16), must always be present to transact any business. No regard is paid to the number present of each particular class of which the assembly is composed; thus either the mayor, six principal burgesses and nine of the commonalty, or the mayor and 15 of the commonalty, without any of the principal burgesses, would form a legal corporate assembly to transact the business of the corporation; such at least is the understanding in the corporation, though perhaps doubts may be entertained whether some members of each division of the assembly ought not to be present. It is however difficult to come to a satisfactory conclusion on this subject, as the charter has neither defined the powers to be exercised by the mayor, principal burgesses and commonalty, nor prescribed the mode of their proceeding. All the members, resident or non-resident, are summoned to these meetings; and when any of them leave the borough, it is usual for them to appoint some place in the town at which the summonses may be left.

The right of electing Members of Parliament, previously to the late Act, belonged to the members of the corporation.

Mayor, functions of.

The Mayor is the head of the corporation, and no corporate meeting can be held without his presence. He is, by virtue of his office, a magistrate and clerk of the market, and he presides at the quarter sessions and the court of record of the borough. He is also the returning officer at the election of Members for the borough. He is officially a commissioner of the land tax, trustee and treasurer of the binding charity, and a commissioner of the Eaubrink Drainage. He and the other magistrates appoint the constables, and, as clerk of the market, he superintends weights and measures. Formerly the patrons of the borough allowed the mayor 150*l.* each, yearly, which was afterwards reduced to 65*l.* each, and withdrawn altogether after the passing of the Reform Act. The corporation also used to allow the mayor 20*l.* a year, but the allowance has been discontinued for some years. The navigation commissioners at one time paid 30*l.* a year to the mayor. These sums were expended in entertainments given to all classes of the inhabitants. At present the mayor receives no emolument beyond two guineas a year rent for a small piece of land belonging to the corporation. The expense of serving the office is now under 100*l.*; at all times it has exceeded the sums received by the mayor.

Principal Burgesses, functions of.

In addition to the functions of the principal burgesses already stated, they are officially commissioners of the land tax and Eaubrink Drainage, receivers of the school and hospital charities, and trustees under Sterne's charity.

Members of the Commonalty, functions of.

The Members of the Commonalty are, with the mayor and principal burgesses, receivers of the School and Hospital charities.

Recorder, functions of.

The Recorder is a magistrate of the borough, and sits in the courts of record and general sessions; he seldom however attends in person, his duty being performed by his deputy the town clerk. He is a trustee of the binding charity.

The

The Town Clerk is the deputy of the recorder; it is also his duty to record the proceedings of the corporation, of whom he is the legal adviser. He is clerk of the peace and registrar of the court of record. He receives something less than 4 *l.* on the admission of a capital burgess, and about 1 *l.* 10 *s.* on the admission of a member of the commonalty. He also receives fees as clerk of the peace and clerk to the magistrates, amounting in the whole to about 50 *l.* a year. Town Clerk, functions of.

The Coroner performs the ordinary function of holding inquests, and has no other emolument than the usual allowance given by the statute. The burgess who was elected mayor for the present year refused to serve the office on account of an alleged irregularity in his appointment, and the mayor for the last year in consequence holds it for the present. As the charter directs that the mayor shall in every year next after his office is finished, exercise the office of coroner within the borough for one whole year, there is now no person within the description of the charter, and it is considered that the office of coroner is vacant. Coroner, functions of.

The Chamberlains are the treasurers and accountants of the corporation. They receive 1 *l.* a year only for their trouble. Chamberlains, functions of.

The duty of the sword-bearer and the mace-bearer is to attend on the mayor. The former receives three guineas a year from the mayor, and voluntary fees paid on the election of members of the corporation. Inferior Officers, functions of.

The mace-bearer receives two guineas a year from the mayor, voluntary fees on the admission of members of the corporation, and fees to a trifling amount on service of the process in the borough court of record.

The Freemen are exempt from the payment of market and bridge tolls within the borough, and, together with all the inhabitants, are exempt from serving on juries for the county. They have a right to send their sons to the free grammar School. Freemen, privileges of.

The Courts of the corporation are, the sessions for the trial of criminals, and the court of record for civil causes. Courts.

The Sessions are not held regularly every quarter on account of the small number of prisoners tried within the borough, but generally three times a year, and sometimes only twice, when there happens to be no prisoner to try at the usual period of holding the sessions. The sessions are always held if there is a prisoner for trial. By the charter the mayor and recorder, with others to be nominated by the King's commission, are to be justices of the peace for the borough, and no other justice is to intermeddle. Till very lately the coroner only had been authorized by the King's commission to act as a justice of the peace; the names of all the resident principal burgesses are included in a commission which issued a few months ago. Only one of them however has qualified himself to act as a magistrate, and as there is at present no coroner, this gentleman and the mayor and recorder are the only magistrates of the borough. The town clerk, who is by the terms of the charter the deputy of the recorder, would seem to be thereby authorized to act as a magistrate in the absence of his principal; but as he holds an office subordinate to the magistrates, that of clerk of the peace, it may well be doubted whether he can legally act as a magistrate. In practice he does not do so; and a barrister always attends at the sessions as assessor to the magistrates, and receives 20 guineas a year from the recorder for his services. Prisoners are sometimes tried here for offences making them liable to transportation, but two only have been transported since 1815. Two magistrates must be present to constitute a session, of whom the mayor must be one. Capital cases are sent to the assizes. Courts of session were held in the borough before the charter of Elizabeth. General Sessions.

Petty Sessions are held every Monday before the mayor and the principal burgess, who is a magistrate. When there is a coroner he attends; but little business is transacted at the petty sessions. Petty Sessions.

The Court of Record is directed by the charter to be held every Monday, except in Easter, Whitsuntide and Christmas weeks, before the mayor and the recorder, or his deputy, for the trial of mixed and personal actions not exceeding the sum of 50 *l.* The proceedings are to be by summons, attachment and distress, according to the custom used in the city of Norwich; and they proceed by declaration, &c., as in the superior courts. The practice is for the attornies to leave what is called a precept at the office of the town clerk, and to issue the process themselves. Two attornies have been admitted to practise in the court. The proceedings are removable by *certiorari*. No business had been done in this court for 50 years, till a mandamus was obtained about two or three years ago from the King's Bench to the mayor and recorder to hold the court; since that time it has been regularly held. The court sat on every Monday in the last year, with six or seven exceptions. The mayor and town clerk always attended, and about 8 or 10 notices were entered in the course of the year; but no cause proceeded even so far as the appearance of the defendant. It was stated by an attorney that he had sued out process from this court on several occasions, and that the defendant had in almost all the cases paid the demand. The costs, when the debt is paid on suing out process, without further proceedings, is 7 *s.* 6 *d.* The town clerk taxes the costs. He stated that if the cause were to be tried it would probably cost a plaintiff 8 *l.* or 10 *l.* to recover a small debt. Court of Record.

The Juries are selected for the sessions in the following manner. The constable delivers precepts to the officers of the three parishes in the borough to make out lists of persons to Juries

THETFORD.

serve on the juries, and about 40 names are returned from each parish. These lists are delivered to the town clerk, and handed over by him to the magistrates before the sessions, and the magistrates select the juries.

The town clerk stated that the magistrates struck out the names of those who were related to the defendants, but that it had very seldom happened that they had interfered in the selection of juries; which was usually left to him. His practice has been to select 24 of the principal inhabitants for the grand, and 24 others for the petty jury, and to take them in rotation. Without intending to insinuate that the magistrates have made an improper use of this privilege of selecting jurors, we nevertheless think that it is a power which they ought not to possess.

Police.

The magistrates appoint a chief constable and six parish constables, who are sufficient on ordinary occasions. The chief constable is a tradesman of the town. He was first appointed about the year 1825; and has held the office from that time. He was described to us as a very active and vigilant officer. Special constables are sometimes but not frequently appointed. The inhabitants willingly act as special constables when called upon to do so. It was once necessary to appoint special constables on the occasion of a riot about machinery. About 16 years ago it was found expedient to call in the military, on account of a riot occasioned by the high price of corn. The chief constable is billet-master, for which he receives two guineas a year, but he has no other emoluments. All the constables act. There is no regular night watch in the borough, but the constables have been occasionally ordered to act as watchmen in the night. The expenses of the constables are paid from the borough rate.

Great complaints are made, and we think justly, of the state of the public houses, which are said to be often very disorderly; and of the want of energy and activity in repressing vagrancy within the borough. Except in the instances above-mentioned, we find no reason to complain of the inefficiency of the police.

Gaol

The Gaol is a large but ill-contrived building. It contains only one yard. Two rooms are occasionally used as day-rooms. There are eight sleeping rooms. The number of prisoners when we visited the gaol was three males and one female. The men were all regularly employed on a tread-wheel erected in the gaol. The woman was confined day and night alone in the same room; but was allowed occasionally to walk in the yard. The accidental circumstance of her being the only female prisoner rendered her punishment much more severe than the magistrate who sentenced her probably anticipated; as solitary confinement formed no part of her sentence. The gaol was clean, and appeared to be well kept; but there is no chaplain, and the prisoners have no religious instruction. They are however allowed Bibles and Prayer-books. The magistrates do not in general visit the gaol; but the present mayor has frequently done so. The greatest number of prisoners in the gaol at one time in the last year was eight. The numbers committed were, in

1830	-	21	-	-	Committed for trial	-	6	-	-	Convicted	-	6
1831	-	21	-	-	- - ditto	-	-	-	9	-	-	- ditto - - 8
1832	-	35	-	-	- - ditto	-	-	-	3	-	-	- ditto - - 2

Number re-committed in the year, 11.

Each prisoner finds his own maintenance, for which purpose he is allowed 2*s*. 4*d*. a week.

Poor.

The corporation have no concern, as such, in the management of the Poor.

Patronage.

The corporation have the appointment of the rector of the parish of Santon, in the county of Norfolk; of the preacher of St. Mary Thetford, and of the master and usher of the free grammar school in the town. They also appoint two men and two women to the almshouses in St. Mary Thetford, under Sir Richard Fulmerstone's will; and six men to Harbord's almshouses.

The rectory of Santon was given by Thomas Heigham to the mayor and commonalty. The corporation have generally presented it to the master of the grammar school. An Act of Parliament in the reign of James the First, gives the appointment of the preachership of St. Mary to the corporation; but they are bound to appoint the curate of St. Mary's, if there be one at the time of a vacancy. The same Act empowers them to appoint the schoolmaster, usher, and two men and two women to Fulmerstone's almshouses.

The mayor and principal burgesses appoint the six men to Harbord's charity. They also select the objects for the poor cloth charity.

Licenses of Public Houses.

There are 19 public-houses, and a great many beer-shops in the borough. Ten of the public-houses are the property of the present mayor. None belong to any other of the magistrates. A member of the commonalty is the owner of one of them. The mayor, who is a brewer, cannot legally act as a licensing magistrate; and a county magistrate attends in his place with the other borough magistrates, on the licensing days. The mayor has never been present on such occasions.

Revenue.

The annual Revenue of the corporation is 1,054*l*. 18*s*. The far greater part of this sum, 955*l*. 2*s*., is derived from the navigation from Thetford to White House Ferry. The tolls of Thetford and Brandon bridges amount to 56*l*., and the market tolls to 12*l*. a year. The remaining 31*l*. 16*s*. is the rent of houses and land belonging to the corporation.

Brandon Navigation.

By an Act of Parliament, 22 Car II. for making navigable the rivers Brandon and Waveney, the corporation of Thetford were empowered to make the river Brandon navigable from

from Whitehouse, beneath Brandon Ferry, to Thetford; and to receive rates for the carriage of goods for the purpose of defraying the expense; and in case of their refusing to undertake it, the commissioners appointed by the Act were authorized to nominate other persons for that purpose. The corporation being unable to undertake the making of the navigation, and having declined the undertaking, and the Earl of Arlington having laid out great sums of money in making the river navigable, the commissioners and the corporation, by an indenture in 1677, granted the tolls to the Earl and his assigns. By indorsement made on this indenture in 1696, Isabella Dutchess dowager of Grafton, sole executrix of the Duke of Grafton, who was sole executor of the Earl of Arlington, demised and released to the corporation all her right and interest in the tolls. The navigation has remained in the hands of the corporation from that time; and in the 50 Geo. III. an Act was passed for amending the former Act, and improving the navigation of the river. The amount of the tolls stated above is the average of the last six years. The monies which shall arise from tolls granted by the Act, together with all monies borrowed under it, and all other monies produced, are vested in the corporation for the purpose of paying, first, the expense of the Act; second, debts borrowed on the security of the former Act; third, the interest due on monies borrowed pursuant to the Act; fourth, defraying the expenses of repairing and improving the navigation; and, fifth, paying off the principal debts.

Tolls.

The Tolls were given to the corporation by the charter of Elizabeth; and their other property has been derived from the different sources specified in the accompanying account.

Debts.

The corporation are indebted in the sum of 4,200*l.*, borrowed for the purpose of building sluices and improving the navigation. These debts are secured by navigation bonds, bearing five per cent. interest.

Expenditure.

The Expenditure of the corporation requires consideration under two heads: 1st, The expenditure of the sums levied as the tolls of the navigation for the purposes stated above: and, 2dly, The general expenditure of the other revenue of the corporation. The accounts of these two funds are now kept separate.

Navigation Account.

The management of the Navigation has been, since 1827, in the hands of a superintendent appointed by the corporation; and its affairs have been conducted in a satisfactory manner. At that period, the banks, towing-paths and bed of the river were all in a very bad and dilapidated state. Since then five new sluices have been made, and in order to defray the very great expenditure incurred thereby the debt of 4,200*l.* has been contracted. The money appears to have been judiciously and economically applied, and a very great improvement in the navigation has taken place. The amount of the tolls has been raised, and they are expended in paying the interest of the debt, and in the ordinary repairs. The tolls have rather increased of late, and there is now a small excess of income above the expenditure; but it does not seem probable that the corporation will be able, for some years, to liquidate any considerable part of the debt. The accounts are now regularly audited by the corporation.

Such has been the state of the navigation since 1827; and it presents a striking contrast to the gross mis-management of its affairs before that time. From 1811 to 1818 the corporation received a net rent of 280*l.* a year for the tolls from a lessee who kept the navigation in repair. About the time of the termination of this lease the corporation appointed one of the common councilmen superintendent of the navigation; and left the management of it entirely in his hands. He held the office till February 1826, and died in the following April. His accounts were only audited twice, in July 1822 and July 1823. He was at the same time chamberlain of the corporation. Many attempts were made by members of the corporation in the common hall to obtain an inspection of the accounts of this person, but they were always resisted by the corporation. On the death of the superintendent no regular accounts were found. The navigation and other accounts were kept together in a most confused manner; written on slips of paper, backs of letters, and in memorandum books, and not arranged in any order. It appears that at the time of his death he was indebted to the corporation more than 90*l.*, on account of the failure of an agent who had collected the tolls for him at Brandon. From 1823 to 1826 balances were kept in his hands much larger than the whole expenditure of the navigation. This person received a salary from the corporation of 100 guineas a year. We have no doubt that a very considerable part of the heavy debt of the navigation would not have been incurred if it had been properly attended to during the period when the late superintendent was in office.

The amount of the tolls from Michaelmas 1832 to Michaelmas 1833, was 963*l.* 3*s.* 3*d.*, and the expenditure 835*l.* 10*s.* 7*d.* This expenditure included the cost of the erection of five new staunches, the interest on money borrowed, and the repairs of the navigation.

General Account.

The General Income of the corporation, independent of the navigation, only amounts to about 100*l.* a year. In the year 1832–3, the actual receipt was rather greater than it will be in the current year, owing to some reductions of rent having taken place. There are some slight discrepancies between the account of the general revenue of the corporation and the account of receipts and expenditure, which however was satisfactorily explained. The chamberlain's accounts are audited by the common hall.

Borough Rate.

The Borough Rate is expended in the usual manner, and has amounted on an average of the last nine years to the sum of 216*l.* 17*s.* 8*d.* A rate of 14*d.* in the pound was raised in the year 1832–3, amounting to about 200*l.* The expenditure for the year, was 196*l.* 1*s.* 5*d.* The average expenditure for the last nine years has been 241*l.* 11*s.*

THETFORD.

Charities.

The corporation have the appointment of the trustees of Sir Joseph Williamson's charity; and the mayor is the treasurer. This charity was given for binding out poor children of Thetford apprentices; and for clothing and educating poor boys of the town. To these purposes it is applied; but large balances have been allowed to remain in hand from time to time. The accounts are settled half yearly, in January and July. The following were the balances at the under-mentioned periods.

	£.	s.	d.
1830: June	107	19	8¾
1831: June	213	10	6¾
1832: January	269	8	8¾
— June	305	15	3½
1833: January	355	8	4½
— July	412	4	10½

Since the last settlement an investment has been made in the funds, and the balance now in hand is small. These balances have been kept in the hands of the town clerk; no payment having been made by him to the treasurer for many years previously to January 1833. Before 1827, the largest balance in the treasurer's hands was about 300*l.* On one occasion the father of the present mayor, being treasurer, advanced money for the charity out of his own pocket. Neither the treasurer nor the town clerk gives any security for the balances in hand.

The school and hospital charity is given under the authority of an Act of Parliament for the foundation of a free grammar school, and the maintenance of a preacher, school master, usher and four fellows. Stipends are paid to the preacher, &c., and the fellows have a weekly allowance. There are almshouses for the residence of the fellows. Vacancies in the almshouses are filled up by the corporation. One of the principal burgesses is the treasurer.

The interest of 1,000*l.* is received every year under the will of Mr. Peter Sterne, and paid over to the poor of three parishes.

There are also sums laid out in cloth every year under different charitable bequests, which cloth is sold to the poor at something below the retail price. Some other small charitable bequests are in the hands of the corporation.

State and Prospects of the Town.

The number of statute acres, &c. of land in the borough is 6,976 A. 3 R. 24 P.

The Population was, in the following years—

1801	2,246
1811	2,450
1821	2,922
1831	3,462

Of whom 1,585 were males, and 1,877 females.

Occupations in 1831.

Families employed in agriculture	81
— trade and manufactures	467
— not comprised in above classes	168

Annual value of real property in 1815 £. 5,946

Assessed taxes for years ending 5th April,

	£.	s.	d.
1829	877	11	10
1830	889	2	– ½
1831	886	17	5

Parochial assessments for years ending March 25th—

	£.	s.	d.
1825	1,145	13	–
1829	1,226	4	–

Number of houses in 1830;

£.10 rent and under £.20	56
£.20 - - £.40	18
£.40 and upwards	3
	77

Number of Electors registered under the late Act 1832:

£.10 occupiers	128
Members of the corporation	22
	150

Many houses of the value of 10*l.* and upwards were not registered.

The town appears to us to be in a prosperous state; and the traders to be getting moderate profits. The agricultural labourers earn from 10*s.* to 12*s.* a week. In the parish of St. Cuthbert's, which is more burthened with poor than either of the other parishes, the heaviest poor's rate was 12*s.* in the pound, at a quarter of the rack-rent; the rates of the other parishes are lower. All the inhabitants can obtain the advantage of education for their children at a very small expense; and the children of the town are generally educated. There have not been many instances of insolvency or bankruptcy in the town.

Several

Several of the members of the corporation, and other respectable inhabitants of the town, expressed their opinion in favour of admitting the 10*l.* householders to the privilege of electing the members of the corporation, and of introducing other changes into the constitution of the corporation.

General Remarks.

We think that great injury has been sustained by the town of Thetford, in consequence of the small number of the corporation, and of the power which they possess of electing their own members. The mismanagement of the navigation, which has been already shown, could not, we conceive, have taken place, if the respectable inhabitants of the town had possessed the means of controlling the proceedings of the corporation.

Two families, generally of high rank, and always possessing very large property, have long enjoyed unbounded influence in the borough, and that influence has been transferred from one individual to another, by the conveyance of an estate in the neighbourhood. When Mr. Baring became the purchaser of Lord Petre's property, he became, at the same time, one of the patrons of the borough. The members of the corporation have been selected with a view to support their political interest; and as a great majority of the members are persons carrying on business, an advantage has been given to them by the support of these wealthy families which others have not enjoyed.

Besides these advantages in trade, the postmastership of the town, situations in the Excise, and other public appointments were obtained for them; pensions were also granted to those members who required such assistance, and in some instances to their widows. All had the privilege of issuing tickets at the borough elections, entitling the holder to receive a sum of money, which was paid by the agent of the patrons, or of their nominees. But it was chiefly in favour of those who were selected as the chief magistrates of the town that this patronage has been exercised; and their allowance of 300*l.* a year was only one of the privileges which they derived from their office.

These were the means by which the patrons maintained their political influence over the select body. Two instances were adduced of local benefits resulting from their connexion with the borough; the rebuilding of a bridge at their joint expense, which the corporation were bound to maintain out of their own funds; and the gift of a piece of land for the national school. This was given by Mr. Baring, who also subscribed a handsome sum for the support of the school. On the other hand, the public appointments at their disposal, so far from being conferred with a view to the advantage of the town and its inhabitants, were given to persons who neglected their municipal duties either by non-residence, or by the mismanagement of the funds entrusted to them for objects of local utility. Among those who were selected for government offices was the late superintendent of the navigation, who for many years was the postmaster of the town.

To secure these personal advantages to the magistracy and the governing body, and to maintain the political influence of two landed proprietors in the neighbourhood, the Inhabitants of the town have long been excluded from its corporate rights; and it is admitted by one of the principal burgesses that, until the Reform Act extended the electoral franchise, no inhabitant, however respectable he might be, and however eligible for a municipal office, would have been admitted into the corporation. That Act, has, no doubt, in a great degree, diminished the political importance of the corporation; but the power they still possess, and their undeviating support of the prevailing political interests, lead us to expect that they will still exert an influence over the constituency of the borough which a self-elected body ought not to possess.

Documents.

We send the following Documents with the Reports;

1. Copy of the governing Charter.
2. Names, &c. of the officers of the Corporation.
3. Account of the property of the Corporation.
4. Copy of Chamberlain's account for 1832–3.
5. Disbursements of Borough Rate, 1832–3.

Geo. Long.

John Buckle.

REPORT

ON

THE TOWN OF WISBECH.

(CAMBRIDGESHIRE.)

CONTENTS.

Sect.		Page.
I.	Limits, Extent and Population	2551
II.	Incorporation and Charters	2551
	Edw. 6	2551
	Jac. 1	2551
	Car. 2.	2551
III.	Corporate Body and its Constitution	2552
	Title	2552
	Officers	2553
	Town Bailiff	2553
	Capital Burgesses	2553
	Town Clerk	2553
	Collector of the Tonnage Duties	2553
	Upper Harbour Master	2554
	Town Inspector	2554
	Beadle	2554
	Town Crier	2554
	Hall-Keeper	2554
	Superintendent of the Night Watch	2554
	Night Watchmen	2554
IV.	Property	2554
	Lands	2554
	Tolls	2554
	Buildings	2554
	Income	2554
	Charges and Liabilities	2555
	Expenditure	2556
	Accounts	2556
	Alienations	2556
V.	Funds and Revenues specifically appropriated	2556
	Cattle Market Estate	2556
	Port and Harbour Fund	2558
	Nene Outfall Fund	2558
	Charity Funds	2559
VI.	Patronage	2562
	Grammar School	2562
	Almshouses	2562
VII.	State of the Town	2562
	Population	2562
	Houses	2562
	Property	2562
	Local Taxation	2562
	Trade	2562
	Local Acts	2563
VIII.	Summary and Observations	2564
IX.	Documents	2564

TOWN OF WISBECH.

I. LIMITS, Extent and Population.

THE Corporate Limits of Wisbech include the town, the port and the harbour; and the town is considered to be co-extensive with the parish of St. Peter's. This parish extends over 6,450 acres, and contains a population of 7,253 inhabitants.

The port is thus defined by a Local Act: "The port of Wisbech aforesaid shall extend and be deemed to extend from a certain house called Bevis Hall, at or near the boundary which divides the parishes of Wisbech St. Peter's and Wisbech St. Mary's, in the said Isle of Ely, and county of Cambridge, down and along the channel of Wisbech river, and the coasts and shores on each side thereof, unto the wash called Sutton Wash, and along and from the said Sutton Wash and the coasts and shores on each side thereof, towards and unto the limits of the ports of Boston, in the county of Lincoln, and the limits of the port of King's Lynn, in the county of Norfolk respectively; and that the harbour of Wisbech aforesaid shall from time to time extend and be deemed to extend to and from such places within the limits of the said port, as the capital burgesses or their successors shall from time to time direct and appoint."

II. INCORPORATION and CHARTERS.

The Inhabitants of the town were first incorporated by a Charter of Edw. 6, dated 1 June 1549, which was granted at the solicitation of the bishop of Ely. They were incorporated under the title of "The Inhabitants of the town of Wisbech, within the Isle of Ely, in the county of Cambridge." Charter of Edw 6, 1549.

Certain estates belonging to the guild of the Holy Trinity, which had been instituted in the 2d year of the reign of Rich. 2, were conferred on the corporation, and the consideration paid to the Crown was 260*l.* 10*s.* 10*d.* The annual value of these lands was then estimated at 28*l.* 3*s.* 2½*d.*

The were granted to "the proper use and behoof of the said inhabitants, to be held of the Crown as of his manor of East Greenwich, in the county of Kent, by fealty only."

The condition attached to the grant was, that all the banks and public works which had previously been maintained by the guild, should in future be maintained by the corporation; and that a sum of 3*l.* 15*s.* should be annually distributed among the poor inhabitants. This is called the King's Dole.

The management of these estates, and the general administration of local affairs were committed to ten capital burgesses named in the charter; and the mode of electing their successors, the qualifications of the electors, and the powers, as well as the qualifications of the elected, were severally defined.

The charter at the same time established a school, and fixed the duties, qualifications and stipend of the master. His appointment was vested in the bishop of Ely, who was himself appointed visitor of the school.

A second Charter was granted by James 1, in 1611, and the inhabitants were incorporated under their present name, as "the burgesses of the town." After reciting the mode of electing the capital burgesses, it provides that "in default of such election in any year, the capital burgesses of the preceding year should elect 10 men on the next day with the same powers. Charter of Jas. 1, 1611.

It confirms the charter of Edw. 6, and empowers the capital burgesses to summon the inhabitants to assist at their meetings.

In 1669, the burgesses petitioned for a renewal of their corporate rights and privileges, and a third Charter was granted by Car. 2. It appears that upon this renewal of the charter there was an attempt to change the constitution of the town, by making the capital burgesses a self-elected body. Charter of Car. 2, 1669.

"April 20th, 1668.

"At a meeting in the town-hall the day and year abovesaid, there being present the major part of the capital burgesses, it is taken into consideration, the sad consequences that may ensue by renewing our charter, as it is intended by some, to be capital burgesses for their lives, contrary to the privileges of our freeholders in our old charter: It is therefore agreed upon by us capital burgesses whose names are underwritten, with the consent of many able freeholders, that John Neale, town bailiff, do oppose their proceedings, and endeavour to bring the said premises to a hearing before such as may determine the controversy (we hope for the good and benefit of our town): And it is further ordered, that the said John Neale, town bailiff, do renew our charter with the same privileges to the freeholders as are mentioned in our old charter, and that the said town bailiff be allowed out of the town stock all such sums of money as shall be laid out for the renewing our charter, or in opposing any that shall endeavour to deprive us of our and the freeholders' privileges mentioned in our old charter. Witness our hands the day and year above written.

"*James Edwards,*
"*John Neale,*
"*James Whinnell,*
"*John Marshall,*
} Being the major part of the capital burgesses."

WISBECH.

The new charter confirms the ancient mode of election, and confers the same official powers on the capital burgesses.

They are required to render an annual account to the inhabitants, by whom they are elected, of all their receipts, payments, contracts, leases, acts and expenses; to have them all entered in a book for the inspection of such as may choose to examine them, within certain specified hours, at the common hall or other place of common meeting, "*To the intent that the aforesaid inhabitants of the town aforesaid, such account and accounts may read over and understand, for their better satisfaction in the truth of the same, and in the due regulation and disposition of their lands and tenements aforesaid, and of the revenues thereof.*"

The appointment of the schoolmaster is given to them, with the approbation of any other 10 inhabitants having votes in the town; and the master is made removable for negligence or misconduct, after conviction before the bishop of Ely.

This charter of Car. 2, is the present governing charter of the town, a copy of which, with a translation annexed, accompanies my Report.

III. CORPORATE BODY and CONSTITUTION.

Title.

The Title of the Corporation is, "The Burgesses of the town of Wisbech, within the Isle of Ely, in the county of Cambridge."

The charters make no distinction between the Inhabitants and the Burgesses, but limit the right of electing municipal officers to the 40*s.* freeholders maintaining households in the town.

The population of the town is 7,253, and the number of males 3,359. The number of inhabitants who are registered as possessing this qualification is 260; and the number not registered is supposed to be about 20.

The inhabitants or burgesses, in their corporate capacity, are the guardians of the town and port.

Capital Burgesses.

Their affairs are managed by the 10 Capital Burgesses, who are annually elected. These are the only officers named in the charter.

All inhabitant householders are eligible for the office, and the only qualification is that they should be "Ten men of the better, more honest and more discreet inhabitants."

The election takes place in the common hall on the 2d of November, and, in default of an election by the freeholders, the right is vested in the capital burgesses of the previous year, to be exercised on the following day. The mode of voting, its object and effect, are described in the evidence annexed to the "Report from the Select Committee on Municipal Corporations." The votes remain unknown, and the secrecy appears to give general satisfaction. At the last election 140 voted.

The chief powers and functions of these annual officers are defined by the charter of Edward 6. They have "Power and authority to grant and let to farm for the inhabitants of the said town, and in the names of the inhabitants of the said town by indentures or indenture, one part thereof to be sealed with the common seal of the inhabitants of the said town, the manor, lands, tenements, and other hereditaments of the inhabitants of the said town, or any parcels or parcel thereof, at their pleasure, for the term of 20 years, or for a less number of years, and to reserve upon every such grant and demise the old rent thereof or more; and to consent on the part of all the inhabitants of the said town for such grants and demises within the said time to be made; also from the aforesaid 1st day of November in the aforesaid year of our Lord 1550, until the 1st day of November in the aforesaid year of our Lord 1551, to have the care and administration of all the manors, lands, tenements and other hereditaments of the aforesaid inhabitants, and of their matters and affairs whatsoever; and also during the same time to repair, overlook and manage the said manors, lands, tenements and other hereditaments for the common benefit of the aforesaid inhabitants."

The subsequent charters confirm these powers, and give them authority to summon to their meetings the honest and more respectable inhabitant householders. That of Charles 2, after reciting the charges upon the town property which is committed to their management, requires them to render an account to the electoral body of "all their receipts, payments, contracts, demises, acts and expenses about or concerning the premises for their year respectively in which they the care and administration thereof so as aforesaid may have; and such their account and accounts respectively shall make and cause to be written in the book of the body corporate aforesaid, even as heretofore in this behalf hath been accustomed; and such book, and account and accounts therein so respectively written, shall produce and show to the aforesaid inhabitants of the town aforesaid, or such of them as shall choose to be present, in the aforesaid house commonly called the Common Hall, or in any other place of common meeting of the capital burgesses aforesaid within the said town, on the Monday next before the 2d day of November hereafter annually arriving or befalling, for the space of three hours, namely, from one o'clock to four o'clock of the said day; and again on the said 2d day of November annually, for the space of three hours, before the election of capital burgesses of the town aforesaid, for the year then next following, at that time to be done, to the intent that the aforesaid inhabitants of the town aforesaid such account and accounts may read over and understand, for their better satisfaction in the truth of the same, and in the due regulation and disposition of their lands and tenements aforesaid, and of the revenues thereof."

By a local Act the regulation of the market and public places in the town is placed under their control, and they are empowered to appoint watchmen, corn-meters and other local officers, who are made accountable to them; to define the boundary of the harbour; to vary,

within

within certain limits the tolls and port dues, and direct their application to certain specific purposes; to erect works within the port and harbour, appoint a harbour-master, and make bye-laws for the regulation of shipping.

These powers must be exercised at their common hall, by six at least of their body; and in case of an equality of votes, the town bailiff, or in his absence, their chairman, appointed by ballot, has the casting vote.

They have no magisterial or judicial functions, but by virtue of their office they are trustees or administrators of various charity funds, with the privilege of appointing inmates of the almshouses.

Neither salary nor pecuniary emoluments of any kind are attached to the office.

The persons chosen for this office are principally the respectable tradesmen of the town, and invariably resident. An indisposition exists on the part of the merchants, and some other of the leading inhabitants, to be put in nomination, for which no reason of a public nature could be assigned.

Although the election is annual, the majority of them are re-elected from year to year, and one individual, Dr. Hardwick, was chosen for 50 years in succession.

Dissenters were at one time excluded from the office, and the late Vicar, says the town clerk, was "the prime mover of the exclusion." The Vicar was himself a capital burgess, and is described as a person who possessed considerable local influence, arising partly from his personal qualities, and partly from his wealth and liberality; of insinuating address, and munificent in his donations. He was also a magistrate.

But his influence over the voters was not derived from these sources alone. For the purpose of excluding Dissenters, he sanctioned and encouraged a system of treating at the elections, of which the vicarage was often the scene; and whenever a Dissenter was chosen, the sacramental test was applied, and the old law rigidly enforced.

The Vicar is now dead; Treating is considered disreputable; Dissenters are admitted to an equal share in the management of local affairs; and the divisions in the town, arising from their exclusion, have ceased. At the present time there are five Churchmen and five Dissenters among the capital burgesses.

Their official powers appear to be exercised in strict conformity both with the letter and spirit of the charters.

A general meeting of the inhabitants is sometimes convened for the purpose of submitting to them questions of local interest. Upon two recent occasions, they have been assembled to consider a proposed change in the mode of lighting the town, and the propriety of contracting a debt for local improvements.

OFFICERS.

The Officers appointed by the capital burgesses are:

A Town Bailiff.
Ten Capital Burgesses.
A Town Clerk.
Collector of the Tonnage Duties.
Upper Harbour Master.
Town Inspector.
Beadle.
Town Crier and Assistant Beadle.
Superintendent of the Night Watch.
Four Night Watchmen.
Hall Keeper.

They are all appointed during the pleasure of the capital burgesses.

Town Bailiff.

The Town Bailiff is usually, but not necessarily, a capital burgess.

This officer, although not recognized by the charters, is not less ancient, and he is mentioned in the Town and Port Improvement Act as the presiding officer at the corporate meetings.

It has been a matter of dispute whether the capital burgesses are compelled to serve the office, which is burthensome without being profitable. They have usually been chosen in rotation, and there is a great indisposition to serve out of their turn.

The town bailiff convenes the capital burgesses, and presides at their meetings. He is the treasurer and accountant of the corporation, and he gives a bond, with two sureties, for 1,500 *l.*, as a security for the fulfilment of the duties of his office. This bond is given to the town clerk, as trustee for the burgesses at large.

All his payments exceeding 5 *l.*, must be made under the authority of the capital burgesses, and the balances at the end of the year are lodged with the bankers. He has no salary, but receives an annual gratuity of 5 *l.* 5 *s.*, which for several years past has been given away in charity.

Town Clerk.

The Town Clerk is the official secretary of the capital burgesses, and records the proceedings of the corporation. He also assists the town bailiff in preparing the annual accounts required by the charter. His salary is 35 *l.* a year, and he derives other emoluments as solicitor to the corporation.

Collector of the Tonnage Duties

The Collector of the Tonnage Dues receives the duties payable at the port, on which his poundage is 3 *l.* 15 *s.* per cent.

WISBECH.

Upper Harbour Master.

The Upper Harbour Master regulates the placing and mooring of vessels within the port and harbour; removes all annoyances and obstructions to the navigation of the river; and enforces the bye-laws of the capital burgesses and the provisions of the Port Act.

His salary is 25*l.* a year.

Town Inspector.

The duty of the Town Inspector is to prevent nuisances and encroachments in the public streets, and to see that the provisions of the Town Act are enforced within the town.

His salary is 26*l.* a year, with an official livery.

Beadle.

The Beadle is the official attendant on the town bailiff and capital burgesses.

His salary is 6*l.* 6*s.* a year, with a livery.

Town Crier.

The Town Crier is also an assistant beadle, and keeper of the corn exchange and fish market.

His salary is 7 *l.* a year with a livery, and the usual perquisites of the office of crier.

Superintendent of the Night Watch.

The Superintendent of the Night Watch superintends and controls the watchmen, and assists the day police of the town.

His salary is 35 *l.* a year.

The Night Watchmen.

The Night Watchmen are on duty during certain hours of the night, fixed by the capital burgesses or their superintendent.

Their salaries average about 15*s.* a week.

Hall Keeper.

The Hall Keeper receives a salary of 3 *l.* a year.

IV. PROPERTY.

The Property of the corporation, applicable to general purposes, consists of lands, the tolls of markets and fairs, and a few buildings in the town.

Lands.

The Lands are all within 20 miles of the town. Their extent is 695 A. 3 R. 5 P. They originally belonged to the guild of the Holy Trinity of Wisbech, and were granted to the inhabitants by the first charter of incorporation.

They are occupied under leases for 20 years; the gross rental is 1,394*l.* 18*s.*; the fines in all cases are equal to two years rent.

The invariable mode of letting them is by auction, and security is required from the tenants.

Tolls.

The Tolls of fairs and markets, with a pasture three acres in extent, are held under a lease from the bishop of Ely, on payment of a small rent, and they produce 151 *l.* 10*s.* a year.

Buildings.

The Buildings and Tenements in the town are these:

1. The custom-house, which is let for 35*l.* a year.
2. A wharf and crane, which are let with the craneage for three years, at 100*l.* a year. They were let by public tender.
3. The town-hall cellar, producing 13*l.* 10*s.* a year.
4. The fish market is the property of the corporation, but no tolls are levied.

This is the property which is available for all corporate purposes, and the income derived from it is this:

Income.

	£.	s.	d.
Rent of 695 A. 3 R. 5 P. of land	1,359	18	–
Fines on letting lands	120	–	–
Rent of market tolls	151	10	–
Rent of buildings and craneage	148	10	–
£	1,779	18	–

The contingent receipts during the last three years have been as follows:

	1830–1.			1831–2.			1832–3.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Loans	2,627	–	–	2,000	–	–	—		
Purchase Monies received, viz.:									
For North Side Drainage Security	100	–	–	—			—		
For Land taken by North Level Commissioners for new Drain	63	10	–	—			—		
For a small piece of land in Wisbech, near the Poor-house	43	–	–	—			—		
Craneage Dues Balance	2	14	–	—			—		
Fines under the Town Act	1	–	–	3	4	–	7	9	6
General Charities, for balance due from that fund	–	–	–	–	–	–	5	19	2
Interest	–	–	–	4	7	7	3	17	6
£.	2,837	4	–	2,007	11	7	17	6	2

The

The remainder of the property under the management and control of the corporation is either appropriated by Act of Parliament to definite local purposes, or it is held in trust for various charities.

Charges and Liabilities.

The Charges and Liabilities are:

1. Fee-farm and quit-rents, which, with the land-tax, amount to 10 *l.* 18 *s.* 6 *d.* a year.

2. The King's Dole, reserved by the charter of Edw. 6, which is 3 *l.* 15 *s.* a year.

3. A salary of 12 *l.* a year to the master of the grammar school, also reserved by the charter.

4. Annual payments due to various charities, amounting to 194 *l.* 16 *s.* 8 *d.*

An estate belonging to Crane's charity was alienated by the corporation, to redeem the land tax on their own estates; and the amount of the tax redeemed, 59 *l.* 6 *s.* a year, is now paid to the funds of the charity.

A sum of 1,174 *l.* is held in trust for the charity schools of the town; and 1,536 *l.* 13 *s.* 4 *d.* in trust for other charities. The interest upon these sums forms the remainder of this annual charge.

5. The debts incurred for general purposes, upon which interest is paid, amount to 5,170 *l.* 11 *s.* 6 *d.* They are secured partly by corporation bonds, and partly by a mortgage of the Corn Exchange. The interest is 253 *l.* 11 *s.*

In addition to this principal debt, a further sum of 2,500 *l.* has been borrowed upon life annuities, amounting to 281 *l.* 2 *s.*, which are secured by corporation bonds.

The interest and annuities therefore charged on the corporate fund amount to 534 *l.* 13 *s.* a year.

These debts were contracted for effecting local improvements. (*See* Expenditure.)

Expenditure.

The following is a summary of the ordinary Expenditure:	£.	s.	d.	£.	s.	d.
Annuities				281	2	–
Interest on mortgage debt of 4,660 *l.*				233	–	–
Interest on other debts				20	11	–
Payments to Charities:						
To Crane's charity, being dividends of sum raised by sale of property to redeem land tax	59	6	–			
Charity schools, interest of 1,174 *l.* in the hands of the corporation	58	14	–			
General charities, interest of 1,536 *l.* 13 *s.* 4 *d.*, also in the hands of the corporation	76	16	8			
				194	16	8
Land tax, reserved rent and quit rents				10	18	6
Bank rates and insurance				41	3	6
Lighting the Town:						
Gas contract	240	–	–			
Extra lamps	25	–	–			
	265	–	–			
Watching:						
Four watchmen	115	–	–			
Superintendent	35	–	–			
	150	–	–			
Pumps and engine repairs	21	5	–			
Cleansing the town	129	–	–			
				565	5	–
Salaries				152	19	–
Tradesmen's bills				187	19	5
Miscellaneous payments				227	19	7
Clothes for officers				39	–	–
			£.	1,954	14	8

The contingent payments during the last three years, and the balances at the end of the year were as follows:

CONTINGENT PAYMENTS.	1830–1. £.	s.	d.	1831–2. £.	s.	d.	1832–3. £.	s.	d.
Bonds paid off	200	–	–	1,277	–	–	400	–	–
Part of loan to Wisbech Canal Company, towards rebuilding sluice	–	–	–	–	–	–	100	–	–
Purchase-money for land to widen the street	–	–	–	–	–	–	21	–	–
Arrears of rent to general charities, advanced by this fund	50	15	–	83	16	6	25	19	6
Balance	5,326	2	11	6,292	5	4	5,663	7	4

WISBECH.

The following are instances of Extraordinary Expenditure:

Extraordinary Expenditure.

	£.	s.	d.
1813. Expended on the charity school	771	–	–
1814. Improvements in the town	671	–	–
— Expended in erecting new almshouses	189	–	–
1820. Purchase of premises for widening the streets	840	–	–
1822. Purchase of premises for improving the approach to the bridge	422	–	–
1829. Repairs of schoolhouse	746	–	–

Accounts.

Detailed Accounts of all the receipts and payments are made out every year by the capital burgesses, and submitted to the burgesses at large for three hours on the Monday preceding the 2d of November, and again for three hours on the 2d day of November, when their year of office expires. This is done in pursuance of the charter. Every inhabitant has the privilege of examining them, and of calling for an explanation, which is always given. The examination is sometimes minute. Abstracts of the accounts are afterwards printed and circulated among the burgesses. A copy of the last abstract accompanies my Report.

Alienations.

The Alienations of property during the last 50 years have been as follows:

In 1802, an estate, belonging to Crane's Charity, called the Three Tuns, formerly the Black Bull Estate, was sold by auction for 1,615 *l.* Of this sum, 1,590 *l.* were invested in the purchase of 2,271 *l.* 8 *s.* 6 *d.* three per cent. stock, for the redemption of the land-tax on the corporation estates.

The tax redeemed was 59 *l.* 6 *s.*, which is now a permanent charge upon the income.

In 1814, three decayed almshouses were sold for 340 *l.*, which was applied to general purposes. The corporation had previously erected twice that number of almshouses to supply their place, and expended upon them more than twice the amount of the proceeds. The cost was 706 *l.*

In 1820, they laid out 840 *l.* in the purchase of an estate for the purpose of widening the streets. A part of this estate was sold two years afterwards for 210 *l.*

In 1822, a messuage was purchased for the improvement of the public streets. The greater part of the site was thrown open, and the remainder resold in 1824 for 80 *l.* The sum paid for the whole was 422 *l.*

In 1831, a small piece of ground, from which the burgesses were deriving neither profit nor advantage, was sold for 43 *l.*

In the same year, a piece of corporation land was taken by the commissioners for the drainage of the North Level, under the powers of an Act of Parliament. The compensation paid was 63 *l.* 10 *s.*

These are the only alienations of real property. A security on the drainage rates, for 100 *l.* advanced by the corporation to the commissioners, was transferred in 1831 to the town clerk, who reimbursed them for the sum advanced.

The whole amount, therefore, of the Proceeds of sales for 50 years is, 2,451 *l.* 10 *s.*

During the same period

	£.			
The investment in stock was		1,590	–	–
Cost of new almshouses		706	–	–
Cost of estates purchased		1,262	–	–
Money advanced on drainage security		100	–	–
	£.	3,658	–	–

So that the new investments and purchases during this period have exceeded the proceeds by 1,206 *l.* 10 *s.*

V.

FUNDS and Revenues specifically appropriated.

The Funds and Revenues under the control of the corporation, and appropriated to specific purposes, are the following:

1. The Cattle Market Estate.
2. The Nene Outfall Fund.
3. The Port and Harbour Fund.
4. Various Charity Funds.

1. Cattle Market Estate.

An Act was passed in 1810 for establishing a Cattle Market within the town. At that time the market was held in the public and open streets, to the great inconvenience of the inhabitants; and the shambles, which are held of the bishop of Ely, as lord of the manor of Wisbech Barton, were in so ruinous a state as to be nuisances to the town. By the Act in question a new market was granted, and the tolls were vested in the corporation for the following purposes: 1st. To discharge the expense of collection; 2d. to defray the expense of purchasing the market-place, and of erecting and maintaining the buildings and pens; 3d. to defray the expense of paving, repairing, lighting, watching and improving the town.

A provision is made for the reduction of the tolls when they are found more than sufficient for these purposes; and for their ultimate abolition when these purposes are fully accomplished.

The

The maximum tolls are fixed by the Act.

In pursuance of these powers, the corporation purchased an estate and erected a market, where tolls are now collected in conformity with the schedule; and they are let for three years, at 265 *l.* a year.

On the same estate which they purchased for this market, they erected a tavern and a corn exchange, and these form a part of what is now distinguished as the Cattle Market Estate. For the purpose of enlarging the market, they have since added a field of two acres.

The tavern is let for three years, at 152 *l.* a year; the corn exchange, now converted into public rooms, produces 22 *l.*; and the field 5 *l.* 10 *s.* a year. The tenements, therefore, built on this site, produce 179 *l.* 10 *s.* a year; and this added to the rent of the market and tolls, make the total receipts on account of the estate 444 *l.* 10 *s.* a year.

The receipts and expenditure of this fund are kept distinct, for the purpose of ascertaining when the tolls should cease.

In order to carry into effect the provisions of the Act, the corporation have borrowed at different times 5,480 *l.* upon annuity, and 500 *l.* upon interest. The annuities amount to 501 *l.* 10 *s.*, and adding the interest 22 *l.* 10 *s.*, the charge upon this fund is 524 *l.* a year. The debts are secured by bonds, and the 500 *l.* by a mortgage of the fields which were purchased with that sum.

Expenditure of Market Fund.

The fund is not at present sufficient to pay the interest and annuities which are charged upon it, and this deficiency is further increased by the incidental expenses of rates and repairs.

The present annual Expenditure is as follows:

	£.	s.	d.
Interest and Annuities	524	–	–
Repairs, &c. on an average of three years past	66	6	2
Taxes and insurance	10	2	9
£.	600	8	11

There is consequently an annual deficiency on this account amounting to 155 *l.* 17 *s.* 11 *d.*

2. Port and Harbour Fund.

The burgesses, as guardians of the Port and Harbour, were by ancient and prescriptive right, entitled to levy tolls in the port, for its preservation and improvement. The sums raised were found inadequate; and the same Act of Parliament which granted the market and tolls, after defining the limits of the port, empowers the capital burgesses to levy, for the use of the corporation, duties upon all coals brought into the port, and upon every ship laden with goods. The rate of duty is 3 *d.* on every chaldron of coals, and the same upon every ton register of the vessel. On foreign vessels it is double, and no persons are exempt.

The fund arising from these duties is exclusively appropriated to the improvement of the port and harbour; and a provision is made for their reduction when they become more than sufficient for these purposes; and for their ultimate cessation when the purposes are fully accomplished.

All the works within the limits of the port, or adjoining those limits, are vested in the corporation.

An abstract of the account of the last three years will show the extent of this fund, its application and present liabilities.

Receipts:	1830–1. £.	s.	d.	1831–2. £.	s.	d.	1832–3. £.	s.	d.
Balance of last year's account	1,967	16	4	—			—		
Port dues at 3 *d.* per ton	852	8	8	1,036	1	6	989	13	3
Trinity House dues on foreign ships for 1832	–	–	–	–	–	–	17	6	–
Dues for one foreign vessel, 77 tons, at 6 *d.*	–	–	–	–	–	–	1	18	6
Rent of land for boatwright's yard	–	–	–	–	5	–	–	5	–
Balance due to the burgesses	2,318	12	11	2,049	–	10	1,853	17	8
£.	5,138	17	11	3,085	7	4	2,863	–	5

WISBECH.

Expenditure:	1830–1. £. s. d.	1831–2. £. s. d.	1832–3. £. s. d.
Upper harbour masters	26 2 11	25 – –	25 – –
Retired allowance of, to the late upper harbour master	20 – –	20 – –	—
Collector of the port dues, for poundage	31 19 4	38 16 11	40 – 4
Pilots, for placing buoys and beacons, taking care of mooring posts, &c.	30 – –	30 – –	30 – –
Secretary to the sub-commissioners of pilotage	15 – –	15 – –	15 – –
Dues returned on vessels not fully laden	– – –	– – –	5 19 10
Collecting dues at Sutton Wash	– – –	5 8 –	—
Four years' rent of storehouse at Sutton Wash	– – –	60 – –	—
Expenses incurred in making cut through Woodhouse Marsh, viz.:			
Excavating cut	1,382 18 9	—	—
Dam across the old channel	1,694 10 –	—	—
Stoning sides of cut	1,616 16 11	—	—
Miscellanies	48 19 11	—	—
Expenses at cut through Woodhouse Marsh, including former sums left unpaid	– – –	322 18 2	240 8 10
Tradesmen's bills and miscellaneous payments	272 10 1	249 11 4	457 10 7
Balance of last year's account	– – –	2,318 12 11	2,049 – 10
£.	5,138 17 11	3,085 7 4	2,863 – 5

The expenses of the new cut were all incurred under the sanction of Mr. Cubitt, the engineer. This undertaking is considered to be an important local improvement.

3. Nene Outfall Fund.

The Nene Outfall Fund also arises from port dues, collected under the authority of a local Act.

The corporation were required by this Act to contribute 30,000 *l.* towards the improvement of the Wisbech river from Kinderley's Cut to its outfall at sea; and in return for this contribution they were empowered to levy the duty in question. It is of the same nature as the port and harbour dues, but double the amount.

This fund is exclusively appropriated to the payment of the principal and interest of the money advanced by the corporation, and when the former is paid off, the duties will cease.

In order to advance the 30,000 *l.* required by the Act, the corporation borrowed 28,000 *l.*, upon which they pay 5 per cent. interest, and this debt is secured on the dues.

The following is an abstract of the receipts and expenditure of the last three years:

Receipts:	1830–1. £. s. d.	1831–2. £. s. d.	1832–3. £. s. d.
Balance of last year's account	120 16 –	1,761 14 7	908 5 –
Tonnage dues on British ships	1,704 17 –	2,022 7 –	1,979 6 6
Dues on one foreign ship	– – –	– – –	3 17 –
£.	1,825 13 –	3,784 1 7	2,891 8 6

Expenditure:	1830-1. £. s. d.	1831-2. £. s. d.	1832–3. £. s. d.
Interest of 28,000 *l.*	– – –	2,800 – –	1,400 – –
Collector's poundage	63 18 5	75 16 7	78 14 7
Dues returned on vessels not fully laden	– – –	– – –	11 19 9
Solicitor's bill	– – –	– – –	4 18 6
Balance due from the burgesses	1,761 14 7	908 5 –	1,395 15 8
£.	1,825 13 –	3,784 1 7	2,891 8 6

The

The sum now in hand on account of this fund is, 1,395 *l.* 15 *s.* 8 *d.* When by further receipts this has accumulated to 2,000 *l.*, so much of the debt will be paid off. In the meantime no interest is allowed.

4. Charity Funds.

The Funds under the control of the corporation for charitable purposes, are distributed in the annual accounts under the following heads:

Crane's Charity.
Holmes's Charity.
Baxter's Charity.
Parke's Charity.
Shambles Estate Charity.
Charity Schools.
General Charities.

Crane's Charity.

John Crane, esquire, of Cambridge, by will, dated 26th June 1651, made the following bequest to the town:

"I give to the town of Wisbech, wherein I was born, my house or inn there, standing on the Market Hill, known or called the Black Bull, with the oil mills thereto belonging, barn, stables, shops, oil-house and all thereto belonging; the one-half of the revenue to amend the schoolmaster's wages of the free-school, and the other moiety to be laid out at the best time of the year to buy corn and firing, to be given to the poor of the same town about Christmas or New Year's-day. This is to be done by the 10 men corporate of the town of Wisbech, or six of the best men in that town. I take the rent to be 40 *l.* a year and better. The overplus I give to the 10 men, or others appointed, for the doing thereof, and to repair the house as they shall see cause, desiring them they use the tenants well as I have done, and that they shall not stop up a passage of a house out of the Bell yard into the Bull yard towards the river, &c."

He died in 1654, when the capital burgesses took upon themselves the execution of this trust.

They pay to the schoolmaster 20 *l.* a year out of the rents, and the remainder is disposed of in annual gifts of 400 bushels of coals and 400 pecks of corn, to poor persons in the town. In 1802, this property was sold by auction for 1,615 *l.*, which was applied in redeeming the land-tax upon the general estates of the corporation.—(*See* Charges and Liabilities.)

Upon the inclosure of Wisbech High Fen, in the year 1666, an allotment, containing eight acres, was made to the capital burgesses in right of this estate, and the allotment is now let for 8 *l.* a year.

The following is a statement of the present income and expenditure of this fund:

	£.	s.	d.
Annual payment from the general funds of the corporation	59	6	–
Rent of the allotment in Wisbech High Fen	8	–	–
Dividend on 96 *l.* 15 *s.* 2 *d.* stock in the Three per Cents.	2	18	1
£.	70	4	1

Application.

	£.	s.	d.
Annual payment to the master of the grammar-school, as the moiety of the rent of the estate which the testator estimated at 40 *l.* and better	20	–	–
Residue, laid out annually in the purchase of 400 bushels of coals and 400 pecks of corn for the poor*	50	4	1
£.	70	4	1

The same testator bequeathed to five corporations the clear annual rents of an estate, which he directed his executors to purchase. The nature of this bequest will be found in the Nineteenth Report of the Charity Commissioners, p. 473.

Of the 200 *l.* stock which is advanced to poor tradesmen, in pursuance of the trust, 140 *l.* is now outstanding on seven bonds, of 20 *l.* each; and the remaining 60 *l.*, which has recently come into the hands of the corporation, is ready to be advanced to those who have claims upon the fund. On the repayment of those loans the capital burgesses give public notice

*This sum being inadequate to cover the amount actually distributed, the deficiency, which amounted last year to 5 *l.* 1 *s.* 1 *d.*, is made up from the funds of another branch of Crane's Charity, called the Fleetland Rents.

This application of the fund has been always acquiesced in; but the present master of the grammar school, the Rev. George Thompson, who was appointed in 1830, is dissatisfied with the annual payment of 20 *l.*, and claims to be entitled to one moiety of the present annual produce of the estate. The capital burgesses do not admit the validity of this claim.

WISBECH.

notice to the inhabitants, inviting those who wish to obtain them to send in their claims, with the names of their proposed sureties. The last notice was given on the 17th September 1833, for four sums of 20*l.* each.

The estate consists of freehold lands at Fleet, in the county of Lincoln, comprising 176 A. 1 R. 28 P., and let by auction or leases for 10 years. They are managed by the town clerk, and are occupied by several tenants at a gross annual rent of 396*l.* 5*s.*

The rents are received every fifth year by the corporation of Wisbech, averaging 79*l.* 5*s.* a year.

Of this sum 66*l.* 15*s.* is annually distributed in money to the poor, and 5*l.* 1*s.* 1*d.* in aid of the former fund, for providing coals and corn.

Charity of William Holmes.

William Holmes, by will dated April 2d, 1656, gave 300*l.* to the capital burgesses, to be lent out annually in 10 sums of 10*l.* each to poor tradesmen of the town of Wisbech, for the term of three years, without interest.

£. 280 part of this sum, is now lent out to poor tradesmen; and the remaining 20*l.* has recently come into the hands of the corporation, who are ready to advance it again upon proper application; and to induce persons to apply, printed notices are issued from time to time, when any money is in hand.

In 1638 the same William Holmes gave 400*l.* to the capital burgesses, to be laid out in land, for the maintenance of two scholars at Magdalen College, in the University of Cambridge, and for binding out poor children as apprentices. By his will, dated 2d April 1656, he directs that this fund shall be exclusively appropriated to the Magdalen scholarship. He also directs the burgesses of Wisbech to pay to the college 40*s.* annually, on 26th December.

The scholars he directs to be chosen by the capital burgesses, together with the head master of the school, "out of the most able and learned scholars of the school, born in the town of Wisbech, who shall have been brought up there by the space of three years, and whose friends' and parents' estates shall not be wholly sufficient to maintain them as scholars in the said University."

The 400*l.* were laid out in the purchase of an estate at Holbeach, containing 40 acres of freehold land, which is now let at 60*l.* per annum. In 1765 a bill in Chancery was filed by the Attorney-general, at the instance of the master and fellows of Magdalen College, against the burgesses. The cause was heard before the Master of the Rolls on the 20th June 1766, and it was decreed that an account should be taken of the rents from 1752, and that the balance then due from the burgesses should be invested in the Three per Cents., and the growing rents and profits of the estate, with the dividends of the stock purchased, were ordered to be accumulated during vacancies in the scholarships, and the accumulations from time to time invested in the same manner.

INCOME.

	£.	s.	d.
The annual rent of the estate at Holbeach purchased with the 400*l.* is - - - - - - - - - - - - (Subject to a deduction of 5*s.* 4*d.* for quit rent.)	60	–	–
Dividend on 3,070*l.* 9*s.* 1*d.*, the gross amount of stock purchased with the original sum invested pursuant to the decree and the subsequent accumulations, and standing to the credit of the cause "Attorney-general *v.* The Burgesses of Wisbech" - -	92	2	–
£.	152	2	–

The income is now applied according to the decree of the Master of the Rolls.

Baxter's Charity.

Mr. John Baxter, a merchant of Wisbech, by will dated 4th November 1793, gave to the capital burgesses all his property in the funds, for the following uses, viz. "To allow annually 10*l.* each to such poor old man or woman, as far as his property would allow, totally incapacitated from labour, as should be by them thought fit and proper objects, with an injunction to attend Divine service every Sunday, on pain of forfeiture."

His property in the funds consisted of 1,220*l.* stock in the Navy Five per Cent. Annuities. This has been transferred to the Three-and-a-Half per Cent. Annuities, and the amount now standing in the names of the trustees is 1,386*l.*, the dividend upon which is 48*l.* 10*s.* 2*d.* There is a further accumulation of 80*l.* 10*s.* 4*d.* in the hands of the capital burgesses, ready to be invested, and upon which they credit the charity with interest.

There are now five annuitants, who regularly receive their annuities of 10*l.* each.

Charity of Thomas Parke.

Thomas Parke, by will dated 28th January 1628, made the following bequest: "I give my house, situate at the end of Ship-lane, in Wisbech, with all the buildings thereto belonging, unto the corporation of the town of Wisbech, to the use of the poor of the said parish for ever."

The estates consist of a messuage called the Bell Inn, and 2 A. 2 R. of land usually let with it (being an allotment in Crab Marsh, in respect of the Bell Inn estate), and of a messuage adjoining to the Bell. This estate is copyhold of the manor of Wisbech Barton, and has from time to time been taken up by persons as trustees for the charity, and who had the administration of it until the year 1826.

The corporation then entered, and have continued in the receipt of the rents from Michaelmas 1826.

Upon

Upon a statement of the accounts in 1828, a balance was found due from the acting trustee to the charity. His executors invested 101 *l.* 2 *s.* 6 *d.*, part of that balance, in the purchase of 100 *l.* stock; and in October 1828, upon the final settlement of the accounts, there appeared to be a balance of 5 *l.* 4 *s.* 1 *d.* due to the executors, which was paid to them by the capital burgesses out of the rents of this estate.

Income.	£.	s.	d.
The annual rent of Bell Inn, let to a yearly tenant, is	60	–	–
Annual rent of house adjoining, let to a yearly tenant	21	–	–
Annual dividend of 100 *l.*, Three-and-a-Half per Cent. Annuities, standing in the names of trustees for the capital burgesses	3	10	–
£.	84	10	–

Appropriation.

£. 72. are laid out annually by the capital burgesses in purchasing coats and gowns for 30 poor men and 40 poor women. The residue, after payment of insurance, land-tax and bills for repairs, accumulates for the benefit of the charity.

By a recent order of the capital burgesses, a further purchase of 50 *l.* stock in the New Three-and-a-half per Cent. Annuities is directed to be made in aid of the accumulating fund.

This accumulating fund is for the purpose of paying the fine (at the will of the lord) and fees on the renewal of the trust.

The Shambles Estate Charity.

This estate was copyhold of the manor of Wisbech Barton, and certain persons were admitted tenants as trustees for the charity. By the Wisbech Town Act, (passed in 1810,) the burgesses were empowered to purchase the Shambles for the sale of meat, and to obtain enfranchisement from the lord.

The shambles were accordingly purchased of the trustees in 1811 for 300 *l.*, and the money was paid by the capital burgesses to the then acting trustee of the charity. This money, with part of a balance then in the hands of the trustee, was laid out in the purchase of 450 *l.* Navy Five per Cents. Upon the change of the Navy 5 *l.* into a new 4 *l.* per cent. stock, this stock was transferred into 472 *l.* 10 *s.* stock New Four per Cents. In 1828, a further sum was invested out of the balance in the hands of the then trustee in the purchase of 27 *l.* 10 *s.* stock, and the whole stock, then consisting of 500 *l.* New Three-and-a half per Cents., was transferred into the names of trustees for the charity, and a balance of 70 *l.* 9 *s.* 3 *d.* was paid over to the capital burgesses. This balance has gradually diminished by an excess of expenditure in favour of the objects of the charity, and the sum of 6 *l.* 10 *s.* 3 *d.*, part of the balance, is now left in the hands of the capital burgesses.

Income.	£.	s.	d.
Annual dividend upon 500 *l.* stock	17	10	–

Expenditure.			
Value of hose, shoes and shirts, given to 10 poor men	6	10	–
Hose, shoes and shirts to 30 poor women	13	–	–
£.	19	10	–

Charity Schools.

The income of the School Charities consists of the interest and dividends on various sums of money entrusted to the corporation; the rents of an estate at Leverington 14 A. 1 R. 21 P. in extent, which is let at 25 *l.* 10 *s.* per annum; and of nine acres in Newfield in Leverington, let at 20 *l.* 1 *s.* per annum. These were purchased in 1814, with two sums of 500 *l.* (making together 1,000 *l.*) the gifts of the late Abraham Jobson, D.D. and John Edes, Esq. to the capital burgesses for the benefit of these schools, and the rents are paid over to the treasurer of the schools.

Income.	£.	s.	d.
Rents	45	11	–
Interest of various sums in the hands of the corporation, amounting in the whole to 674 *l.*, at Five per Cent.	33	14	–
Interest of 500 *l.* given by the Rev. Abraham Jobson, for the benefit of the Sunday schools in 1824	25	–	–
Dividend on 108 *l*, 13 *s.* 11 *d.* capital stock, standing in the names of trustees for the burgesses in New Three-and-a-half per Cent. Annuities, purchased in 1832, with a legacy of 100 *l.* bequeathed by the late William Rayner, Esq.	3	15	7
£.	108	–	7

WISBECH. General Charities.

1. In 1656, John Thurloe, Esq. gave 150 *l.* to the corporation, upon trust to apply the interest yearly in putting out three apprentices. The interest is applied for this purpose.

2. In the same year, Lord Say and Sele gave 100 *l.* to the corporation in trust to employ the interest yearly in clothing poor people. It is applied in purchasing garments for five poor widows or housekeepers.

3. By Will dated 20th December 1669, Richard Royce devised 16 acres of land in Wisbech Fen, now let at 12 *l.* per annum, for clothing poor widows. It is applied in purchasing garments for 12 poor widows.

4. By Will dated 24th September 1701, Richard Loake bequeathed 100 *l.*, the interest to be annually expended in clothing five poor widows or housekeepers; and 100 *l.* for distribution by the churchwardens among the poor.

The sum of 20 *s.* is expended in garments for five poor widows or housekeepers, and the remainder is distributed by the churchwardens.

5. By will dated 30th March 1605, Margaret Bende gave 50 *l.* unto the 10 men of Wisbech, to be bestowed for the use and benefit of the poor; viz. 6 *s.* 8 *d.* yearly to the poor of Parson Drove, and the remainder to the poor of the parish of Wisbech St. Mary's.

This money is paid to the feoffees of Bende's charity, for distribution to the poor, and is distributed accordingly.

6. John Williamson left 40 *l.* to the corporation: for themselves 13 *s.* 4 *d.*, and for the poor of Wisbech St. Peter's, 1 *l.* 6 *s.* 8 *d.*

7. Bartholomew Edwards left 10 *l.* for the poor.

8. The King's Dole of 3 *l.* 15 *s.*, granted by the charter, is distributed amongst widows by the town bailiff.

Dorcas Charity.

The Reverend Abraham Jobson, D.D. gave 1,000 *l.* to the corporation, directing that the interest at 5 *l.* per cent. should be applied to the purposes and objects of the Wisbech Dorcas Charity. The corporation executed a bond to the donor, dated 10th November 1827, and the interest is regularly paid to the treasurer of the charity.

Scottrell's Gift.

William Scottrell gave 12 acres of land in Wisbech Saint Mary's, the rent to be distributed amongst the poor of Wisbech. This land is now let on lease, and the annual rent of 21 *l.* 10 *s.* is paid over to the churchwardens of Wisbech, for distribution amongst the poor on St. Thomas's-day.

VI. PATRONAGE.

Under the charter of Chas. 2, the capital burgesses appoint the master of the Grammar School in the town, with the assent of 10 other burgesses. This appointment is held for life, subject to removal for misconduct or negligence, after conviction before the Bishop of Ely, who is the visitor of the school.

The salary of the master is fixed by the charter at 12 *l.* a year, which is a charge upon the town property out of the general funds of the corporation.

Attached to the school is a house in which he resides free of rent, taxes and repairs. He is also entitled to the rents of certain lands in the neighbourhood of the town.

In addition to these rents and his salary, the capital burgesses allow him 48 *l.* a year for instructing 20 boys in the English language; and they pay him 20 *l.* a year, in right of an estate bequeathed to him by the will of John Crane.

The only other appointments vested in the corporation are these:

Six ancient almshouses in the town, known by the name of King John's almshouses, are occupied by poor women, who are selected by the capital burgesses.

Six other almshouses erected by the burgesses, in lieu of four decayed almshouses pulled down, and which were originally erected with 100 *l.* bequeathed for that purpose in 1710, by Mrs. Sturmyn, are occupied by poor men and poor women selected by the capital burgesses.

Six other almshouses on the south east of the church, erected with 300 *l.*, the gift of Dr. Hawkins in 1631, are also occupied by poor men and poor women selected by the capital burgesses.

A granary over them is let at 3 *l.* 15 *s.* a year, which is applied towards the general repairs of the almshouses.

VII. STATE of the Town.

1. Population.

YEARS.	TOTAL.	INCREASE.
1801	4,710	—
1811	5,309	599
1821	6,515	1,206
1831	7,253	738

The number of males in 1831 was 3,359.

2. Occupations.

2. Occupations.

Families	Agricultural	203
	Trading, manufacturing, &c.	731
	Not comprised in either of the above classes	738

3. Houses.

The number of houses in 1831 was 1,697.

4. Property.

The annual value of real property in 1815 was 28,333 *l.*

5. Parochial assessments.

	£.	s.	d.
1825	4,479	13	–
1829	4,162	1	–
1833	—		

6. Port Return.

YEARS.	COASTWISE.				FOREIGN.				Vessels belonging to the Port.
	Inwards.		Outwards.		Inwards.		Outwards.		TONS.
	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.	
1813	-	-	-	-	1	178	1	178	1,007
1814	-	-	-	-	1	104	1	104	1,130
1815	-	-	-	-	2	165	2	165	1,308
1816	-	-	-	-	–	–	–	–	1,309
1817	Books destroyed				2	336	3	440	1,452
1818					5	773	8	1,204	1,282
1819	-	-	-	-	13	1,959	8	1,069	1,192
1820	-	-	-	-	8	1,224	5	694	1,369
1821	-	-	-	-	4	509	4	509	1,325
1822	-	-	-	-	5	796	1	145	1,197
1823	688	41,059	490	25,549	15	2,158	10	1,204	books destroyed.
1824	645	38,909	527	28,281	14	2,587	10	1,716	- ditto.
1825	652	41,862	512	27,337	45	7,093	34	5,158	1,412
1826	696	46,458	472	23,938	16	1,824	9	827	2,030
1827	595	39,224	442	21,937	31	3,891	18	2,300	2,405
1828	650	40,469	503	25,437	19	3,125	11	1,835	2,466
1829	614	38,578	380	18,621	9	1,476	5	632	2,487
1830	633	40,210	443	22,972	9	1,676	4	797	2,529
1831	720	44,359	436	21,195	24	3,952	9	1,552	2,524
1832	784	49,329	420	20,671	16	3,046	6	1,118	2,923

The receipts of Customs during the same years have been as follows:

	£.	s.	d.		£.	s.	d.
1813	10,233	18	–	1823	15,835	3	6
1814	10,479	2	3	1824	16,236	11	3
1815	7,001	1	1	1825	21,849	8	11
1816	8,432	15	–	1826	19,334	17	4
1817	9,629	10	10	1827	15,807	19	4
1818	14,407	8	1	1828	19,138	–	5
1819	14,247	16	3	1829	13,979	6	3
1820	14,533	14	2	1830	14,414	11	10
1821	10,225	4	10	1831	8,823	12	2
1822	11,183	11	8	1832	8,366	1	8

The Local Acts are:

Local Acts.

1. 50 Geo. 3, c. 206, An Act for establishing a Cattle Market within the Town of Wisbech, in the Isle of Ely, for taking down and renewing the Shambles therein, for Paving, Cleansing, Lighting and Watching the said Town and removing Nuisances therein, for preserving and improving the Port and Harbour of Wisbech, and for regulating the Pilots belonging thereto.

2. 7 & 8 Geo. 4, c. 85, An Act for improving the Outfall of the River Nene and the Drainage of the Lands discharging their Waters into the Wisbech River, and the Navigation of the said Wisbech from the upper end of Kinderley's Cut to the Sea, and for embanking the Salt Marshes and Bare Sands lying between the said Cut and the Sea.

WISBECH.

VIII. SUMMARY and Observations.

The affairs of this town are managed by a Representative body, consisting of the ten Capital Burgesses, and the checks upon their management are annual elections and the publicity of their accounts.

They are elected by a constituency of householders possessing 40 *s.* freeholds, and the accounts are open to the inspection of all the inhabitants.

Various Funds are under their control, some for objects of local utility, and others for purposes of charity.

Their general fund is applied to those municipal purposes for which corporate towns are usually taxed. It is chiefly expended in lighting, watching, paving and improving the town. To render the grammar school more practically useful, an allowance is made to the master, in addition to the salary granted by the charter. The salaries of corporate officers are few in number, and moderate in amount.

The hospitality of the burgesses is exercised once a year, but not at the expense of the corporate funds; and the only privilege of the town bailiff is, to pay a double share of the expense.

A debt has been recently contracted for local improvements, and a public meeting of the inhabitants was called before it was incurred.

The Market tolls are exclusively applied to defray the expenses of the market; the Port and Harbour dues to maintain and improve the port and harbour; and the Nene Outfall fund to repay the cost of that undertaking. All the debts charged upon these funds were incurred under the sanction of an Act of Parliament.

These are the revenues applicable to purposes of local utility.

The Charity funds entrusted to the corporation are appropriated to their legitimate objects without party distinction. The administration of one of these funds by the Capital Burgesses of Wisbech presents a striking contrast to the administration of the same fund by other corporate bodies. Crane's Charity was entrusted to five of these bodies who receive the monies in quinquennial rotation. Neither Cambridge nor Ipswich can render any account of it; and even Lynn, which is distinguished by the regularity of its accounts, has not preserved the fund unimpaired.

At the end of every year the capital burgesses publish and distribute among their constituents an abstract of all their receipts and disbursements. Their books are then thrown open for general inspection, and the town clerk attends in the town-hall to furnish any explanation that may be required.

The Vicarage is no longer the scene of illegal practices, for the purpose of excluding Dissenters from office; the elections have ceased to be an occasion of religious discord; and the treating, which for many years disgraced them, is now considered disreputable. Churchmen and Dissenters share in equal numbers the management of local affairs, and the only existing exclusion arises from a defect in the constitution established by the charters, which confine the privilege of voting to the freeholders. Notwithstanding this defect, the corporation in its present state exists, in fact as well as in words, "for the common benefit of the inhabitants."

Their town is apparently prosperous; its trade is extending; the value of property in the neighbourhood has increased; local taxation is stationary, and labour is well paid. The inhabitants are said to be characterized by industry and prudence. Education among them is general, and few serious offences are committed.

IX. DOCUMENTS.

The Documents accompanying this Report, are

1. Copies and Translation of the Charter.
   3 Edw. 6.
   8 Jas. 1.
   21 Car. 2.
2. A Schedule of the Corporation Property.
3. A Schedule of the Permanent Debts of the Corporation.
4. A Return of Corporation Property alienated within the last 50 years.
5. A Copy of the last audited Account of the Capital Burgesses.

John Buckle.

APPENDIX.

ABSTRACT of the ACCOUNTS of the CAPITAL BURGESSES of *Wisbech*, from November 1832 to November 1833, *Henry Ollard*, Gent. Town Bailiff.

CRANE'S CHARITY.

RECEIPTS.

	£.	s.	d.
Balance of last year's account for estate at Fleet	209	7	3
Interest thereon	4	12	–
Capital stock to be lent on bonds, in sums of 20 *l.* each, for 20 years	200	–	–
Funds for general purposes, for land-tax redeemed by sale of Three Tuns Estate	59	6	–
A year's dividend on 96 *l.* 15 *s.* 2 *d.* stock, due July 1833	2	18	–
A year's rent of allotment in Wisbech High Fen	8	–	–
	£. 484	3	3

PAYMENTS.

	£.	s.	d.
Monies lent on bonds to seven persons	140	–	–
Part of Fleet Land rents applied in aid of coals and corn to the poor	5	1	1
Ditto, distributed to the poor in February 1833	66	15	–
Payments on account of Three Tuns Estate, including coals and corn to the poor	70	4	–
Balance with Messrs. Gurneys and Co. to the credit of this account, being £. s. d.			
Balance of Fleet Land Rents 142 3 2			
Principal received on three bonds and not yet lent 60 – –			
	202	3	2
	£. 484	3	3

HOLMES'S CHARITY.

RECEIPTS.

	£.	s.	d.	£.	s.	d.
Balance in hand last year, being				169	14	6
Interest of part of 300 *l.* stock	3	8	–			
Surplus of Magdalen College Fund	166	6	6			
Interest on Magdalen College Account				3	12	–
Capital stock directed to be lent on security to 30 poor tradesmen, in sums of 10 *l.* each, for three years				300	–	–
A year's rent for Holbeach Estate, due Michaelmas 1833				60	–	–
Moiety of a year's dividends on 2,367 *l.* 2 *s.* 2 *d.* stock, due July 1833				*35	10	2
				£. 568	16	8

* The dividends on the additional stock purchased in 1832 have not yet been received of the Accountant-general.

PAYMENTS.

	£.	s.	d.	£.	s.	d.
Monies lent on security to 28 poor tradesmen				280	–	–
Mr. James Smith, a scholar at Magdalen College, moiety of a year's rent, deducting quit rent	29	17	4			
And moiety of a year's dividend	35	10	2			
				*65	7	6
A year's quit rent to the manor of Holbeach Abbot, due Michaelmas 1832				–	5	4
Bill for printing				–	9	–
Balance with Messrs. Gurneys and Co. to the credit of this account, being						
Interest on the 300 *l.* stock	2	19	–			
Part of capital ditto	20	–	–			
Surplus of Magdalen College Fund	199	15	10			
				222	14	10
				£. 568	16	8

* Mr. Smith will be entitled to a moiety of dividend on the additional stock when received.

BAXTER'S CHARITY.

RECEIPTS.

	£.	s.	d.
Balance of last year's account	77	17	8
Interest thereon	1	12	6
A year's dividend of 1,386 *l.* stock, due 5th July 1833	48	10	2
	£. 128	–	4

PAYMENTS.

	£.	s.	d.
Annuities	47	10	–
Balance with Messrs. Gurneys & Co., to the credit of this account	80	10	4
	£. 128	–	4

PARKE'S CHARITY.

RECEIPTS.

	£.	s.	d.
Balance of last year's account	125	3	3
Interest thereon	2	14	6
A year's dividend upon 100 *l.* stock, due 5th July 1833	3	10	–
A year's rent for the Bell Inn, £. s. d.			
&c., due 29th September 1833 60 – –			
Ditto, for house and premises adjoining, due ditto 21 – –			
	81	–	–
	£. 212	7	9

PAYMENTS.

	£.	s.	d.
Insurance, land tax and bills for repairs	14	10	10
Thirty coats and 40 gowns given to the poor	72	–	–
Balance with Messrs. Gurneys & Co., to the credit of this account	125	16	11
	£. 212	7	9

Shambles Estate Charity.

	£.	s.	d.	£.	s.	d.
Balance of last year's account				8	7	3
Interest thereon				–	3	–
A year's dividend upon 500 *l.* stock, due 5th July 1833				17	10	–
				£. 26	–	3

	£.	s.	d.	£.	s.	d.
Hose, shoes and shirts, given to 10 poor men	6	10	–			
Hose, shoes and shifts, given to 30 poor women	13	–	–			
				19	10	–
Balance with Messrs. Gurneys & Co. to the credit of this account				6	10	3
				£. 26	–	3

Charity Schools.

	£.	s.	d.	£.	s.	d.
Balance of last year's account				14	15	–
A year's interest on monies secured by bonds of the corporation	25	15	–			
Ditto of monies presented to the corporation, to be applied for the benefit of the charity schools	7	19	–			
				33	14	–
Ditto of 500 *l.* donation of Rev. A. Jobson, D.D. for Sunday schools				25	–	–
A year's rent of Christopher Strickson, due Lammas 1833	20	1	–			
Ditto of George Vincent and John Shaw, to 25 March 1834	27	10	–			
	47	11	–			
Deduct Taxes and Insurance	5	17	11			
				41	13	1
A year's dividend on 103 *l.* 3 *s.* 11 *d.* stock, purchased with Mr. Rayner's donation, due 5 July 1833				3	16	–
				£. 118	18	1

	£.	s.	d.	£.	s.	d.
Treasurer of charity schools, a year's interest of 515 *l.* and 159 *l.*	33	14	–			
N.B. The sum of 24 *l.* 14 *s.* part of the above, is paid on account of the Boys' School, and 9 *l.* on account of the Girls' School.						
Ditto of 500 *l.* given by Dr. Jobson, for Sunday schools	£. 25	–	–			
A year's dividend on stock	3	16	–			
Balance of a year's rent	43	13	1			
				106	3	1
Balance with Messrs. Gurneys and Co. to the credit of this account				12	15	–
				£. 118	18	1

General Charities.

	£.	s.	d.	£.	s.	d.
The funds for general purposes, for interest money and dole, payable annually by the corporation	30	11	8			
A year's interest of 1,000 *l.*, the donation of Dr. Jobson, for Wisbech Dorcas Charity	50	–	–			
				80	11	8
A year's rent due at Michaelmas 1833:						
For 16 acres of land, in Wisbech Fen, (Royce's gift)	£. 12	–	–			
For 12 acres of land in Wisbech St. Mary's, (Scottred's gift)	21	10	–			
For granary over Hawkins' almshouses	3	7	–	36	17	–
Sums due to Bond's feoffees charged in former years, but not yet paid				1	16	2
				£. 119	4	10

	£.	s.	d.
Garments and sundry gifts to the poor	32	15	–
Fees with an apprentice under the gift of the late John Thurloe, esq.	2	10	–
Bill for the indentures	–	10	6
The treasurer of the Dorcas Charity, one year's interest of 1,000 *l.* given by Dr. Jobson	50	–	–
The churchwardens of Wisbech St. Peter's, (Scottred's gift) to be distributed among the poor on St. Thomas's-day	21	10	–
Insurance	1	14	6
Bills paid	4	5	8
Funds for general purposes to balance	5	19	2
	£. 119	4	10

Cattle Market, Corn Exchange, Wisbech Arms, and News Room.

	£.	s.	d.	£.	s.	d.
A year's rents				443	11	–
Balance due from this estate				5,113	–	11
				£. 5,556	11	11

	£.	s.	d.
Balance of last year's account	4,905	9	5
Interest and annuities	525	2	6
Taxes and insurance	10	–	–
Bills for repairs, &c.	16	–	–
Part of principal on mortgage paid Mr. Bailey	100	–	–
	£. 5,556	11	11

Port and Harbour.

	£.	s.	d.
A year's port dues on 79,173 tons, at 3 *d.* per ton	989	13	3
Dues for one foreign vessel, 77 tons, at 6 *d.* per ton	1	18	6
Trinity House dues on foreign ships for 1832	17	6	–
John Henson, a year's reserved rent of land for boatwright's yard	–	5	–
Balance due to the burgesses	1,853	17	8
£.	2,863	–	5

No. of tons in 1832	82,886
Ditto 1833	79,173
Decrease	3,713

	£.	s.	d.
Balance of last year's account	2,049	–	10
The collector of the port dues, for his ponndage	40	–	4
Dues returned on vessels not fully laden	5	19	10
A year's salaries, viz.:			
Secretary to the sub-commissioners of pilotage (£. 15 – –)			
Upper harbour master (£. 25 – –)			
Pilots for placing buoys and beacons, taking care of mooring-posts, &c. (£. 30 – –)			
	70	–	–
Expenses at cut through Woodhouse marsh	240	8	10
Tradesmen's bills and miscellaneous payments (£. 460 10 7)			
Deduct rent of light-house charged therein and received back (£. 3 – –)			
	457	10	7
£.	2,863	–	5

Nene Outfall Fund.

	£.	s.	d.
Balance of last year's account	908	5	–
A year's tonnage dues on 79,173 tons, at 6 *d.* per ton	1,979	6	6
Dues on one foreign ship, 77 tons, at 1 *s.* per ton	3	17	–
£.	2,891	8	6

	£.	s.	d.
Collector's poundage	78	14	7
Dues returned on vessels not fully laden	11	19	9
Sir William Joliffe and others, a year's interest of 28,000 *l.*, due 10th July 1833	1,400	–	–
Solicitors' bill	4	18	6
Balance due from the burgesses	1,395	15	8
£.	2,891	8	6

General Purposes.

	£.	s.	d.
Balance of last year's account	6,292	5	4
Rents received, viz.			
Arrears of last year's rental £. 255 7 –			
The present year's rental, after deducting abatements 1,634 1 –			
	1,889	8	–
Fines on lands let	113	10	–
Fines under the Town Act	7	9	6
General Charities for balance due from that fund	5	19	2
Interest	3	17	6
Carried forward	£. 8,312	9	6

	£.	s.	d.
A year's annuities paid	281	2	–
Interest	434	6	8
Mr. Dawson's executors, remainder of principal on bond	400	–	–
Part of loan to Wisbech Canal Company towards rebuilding sluice	100	–	–
George Ryan, purchase-money for land to widen street	21	–	–
Bishop's rent, quit rent, taxes, rates, and insurance	47	1	8
Lighting, watching and cleansing the town, and care of fire engines: viz.			
Lamplighter £. 193 11 –			
Watchmen 165 5 8			
Superintendent of ditto 43 15 –			
Sweeping streets 120 – –			
Care of engines 6 6 –			
	528	17	8
Clothes for officers and watchmen	28	17	–
Salaries, &c. paid; viz.			
Town bailiff 5 5 –			
Town clerk 35 – –			
Rev. G. H. W. Thompson, for Judges' lodgings 8 8 –			
As schoolmaster and librarian 14 – –			
A year's allowance due Michaelmas 1833, for teaching English, &c. to 20 boys appointed by the capital burgesses at the grammar-school, at 2 *l.* 8 *s.* each per annum 48 – –			
Town inspector 26 – –			
Beadle, crier and hall keeper 16 6 –			
	152	19	–

(*continued*)

	£.	s.	d.		£.	s.	d.
Brought forward - - -	8,312	9	6	Bills for repairs, &c. - - - -	176	10	7
				Miscellaneous payments - - -	228	2	1
				Arrears of rent due - - 224 6 –			
				Ditto to general charities, advanced by this fund - 25 19 6			
					250	5	6
				Balance due from the burgesses - -	5,663	7	4
	£. 8,312	9	6		£. 8,312	9	6

General Balance of the foregoing Accounts.

	£.	s.	d.	£.	s.	d.		£.	s.	d.
Balance due to the following charities, viz.:							Cash with Messrs. Gurneys & Co. for balances due to charities - - -	650	10	6
Crane's charity - -	202	3	2				Balance due from port and harbour -	1,853	17	8
Holmes' ditto - -	222	14	10				Ditto from cattle market, &c. - -	5,113	–	11
Baxter's ditto - -	80	10	4				Cash in the hands of Messrs. Gurneys & Co. - - - - - - -	91	16	5
Bell estate, (Parke's ditto)	125	16	11							
Shambles ditto - -	6	10	3							
Charity schools - -	12	15	–							
				650	10	6				
Ditto to the Nene Outfall Fund - -				1,395	15	8				
Ditto to general purposes - - -				5,662	19	4				
				£. 7,709	5	6		£. 7,709	5	6

Arrears of rent - - - - - - - £. 250. 5 s. 6 d.

495

REPORTS

FROM

THE NORTH-WESTERN CIRCUIT.

CONTENTS.

COUNTIES.

ANGLESEY.	FLINTSHIRE.
CAERNARVONSHIRE.	LANCASHIRE.
CHESHIRE.	MERIONETHSHIRE.
DENBIGHSHIRE.	SHROPSHIRE.

CITIES AND BOROUGHS.

1. Altringham.	12. Flint.
2. Bangor.	13. Liverpool.
3. Beaumaris.	14. Ludlow.
4. Bishop's Castle.	15. Newborough.
5. Caergwrle.	16. Newton.
6. Caerwys.	17. Over.
7. Chester.	18. Overton.
8. Clun.	19. Oswestry.
9. Congleton.	20. Rhuddlan.
10. Denbigh.	21. Ruthin.
11. Dinas Mwddy.	22. Ruyton.

407

REPORT

ON

THE BOROUGH OF ALTRINGHAM,

(CHESTER.)

CONTENTS.

	Page
PRELIMINARY NOTICE	2573
Local Limits	2573
Historical Notice	2573
Charter	2573
Title	2574
Officers:	
Mayor	2574
Steward	2574
Aldermen	2575
Bailiff	2575
Constables	2575
Freedom	2575
Ruling Body	2575
Fees	2575
Courts	2575
Juries	2575
Property	2575
Gaol	2576
General State:	
Poor	2576
Church	2576
Dissenting Congregations	2576
Complaints	2576

BOROUGH OF ALTRINGHAM.

Preliminary Notice.

1. Leland disposes of the ancient Borough of Altringham with a very slight notice. Speaking of Dunham Massey, and of the family of Booth, descendants (maternally) of that Hamon de Massey, by whom the charter, hereinafter recited, was granted to Altringham, he says, "Bouth of Dunham, dwellith at Dunham a three miles from Knottesford. It hath a faire park, and is a mile from Altringam; a pore thing, where is a mayre."

Local Limits.

2. The borough of Altringham is co-extensive with the township, and is in the parish of Bowden. It is one of several townships, constituting the barony of Dunham Massey. The appointment of the steward of that barony, by the Earl of Stamford and Warrington, bearing date 7th September 1819, confers the right to exercise that office over the "several manors of Bowdon, Timperley, Hale, Partington, Bollington, Carrington, Ashley, Ashton-upon-Mersey and Sale, Stayley and Hattersley, and Manor and Fee of Bolton-cum-Norcliffe, and Borough of Altrincham, respectively in the said county of Chester."

The boundaries are stated to be perfectly well known and defined, and never to have been the subject of dispute. The jurisdiction of the court leet, hereafter noticed, extends throughout the limits of the borough, without any exception, as well as over the other townships constituting the barony.

Historical Notice.

3. Dunham Massey was one of the eight baronies created by Hugh Lupus. In Gough's Camden's Britannia an account of these baronies is given (vol. ii. p. 426–7); and among the barons first appointed, Hammon de Massey is named.

After describing the course of descent of the several baronies, the historian proceeds to state that the barons "had their courts free for all pleas, except pleas pertaining to the sword of the Earl; their business was to attend the Earl in council, follow him and grace his court; and as the old record sets forth, they were bound, in time of war with the Welsh, to find, for each knight's fee, one horse harnessed, or two unharnessed, within the divisions of Cestreshire. And their knights and free tenants were to be furnished with breastplates and haubergeons, and to defend their respective fees in person."

He afterwards states, with respect to this particular barony, that "Dunham descended by inheritance from Hamo de Mascy, by the Fittons and Venables, to the famous family of Booth."

Charter.

The only extant charter of Altringham is one granted by a lineal descendant of the Baron Hammon de Massey above mentioned. It is set out in Sir P. Leycester's History of Cheshire. The original charter is in the custody of the steward of the barony. It is without date. An indorsement upon it states that it was "dated it is supposed in Edward III., 1356;" but this would seem to be a post-dating of about 70 years, as hereafter shown.

This charter is to the following effect:—

"Omnibus Christi fidelibus hanc præsentem Chartam inspecturis vel audituris, Hamundus de Massey, Dominus de Doneham, salutem sempiternam in Domino: Noveritis me dedisse, ac hâc præsenti Chartâ meâ pro me et Hæredibus meis Confirmâsse Burgensibus meis de Altringham, quod villa mea de Altringham sit liber Burgus, et quod Burgenses mei ejusdem Burgi habeant Gildam Mercatoriam in eodem Burgo cum omnibus libertatibus et liberis consuetudinibus ad hujusmodi Gildam pertinentibus, secundùm consuetudines Burgi de Macclesfield: et quod quieti sint per totam terram meam, tam per aquam quam per terram, de Tolneto, Passagio, Pontagio, Stallagio, Lastagio, et omnibus aliis servis consuetudinibus. Concessi etiam prædictis Burgensibus meis communem Pasturam, Turbariam bruariam, infra limites de Doneham, Altringham et Tymperlegh; salvis mihi et hæredibus meis approvimentis nostris, et salvâ mihi et hæredibus meis Claustura de Sunderland ad voluntatem nostram, sine contradictione aliquorum, quandocunque illud claudere voluerimus: Ita quod prædicti Burgenses mei habeant communem Pasturam semper et ubique ad omnia animalia sua infrà metas de Sunderland, dummodo prædictus locus de Sunderland non clausus fuerit, salvo mihi et hæredibus meis toto tempore Pessonis in prædicto Sunderland. Ita quod eodem tempore prædictum Sunderland in defensionem ad voluntatem nostram habere poterimus, sine contradictione aliquorum: et cum clausum fuerit prædictum Sunderland, prædicti Burgenses mei habeant communem suam usque ad hayam prædicti Sunderland, et non ultrà.

"Volo etiam quod omnes Burgenses mei, qui Porcos habuerint tempore Pessonis, in burgo meo vel infra festum beati Jacobi et tempore Pessonis dent rectum Takcum quando pasturant infrà prædictis communas, et alibi cum Porcis suis ejusdem Burgi tempore Pessonis non ibunt. Concessi etiam prædictis Burgensibus meis Housebold et Haybold in omnibus Boscis prædictorum locorum, exceptis Hayis et defensis boscis meis: Concedo etiam prædictis Burgensibus meis quod non implacitentur extra Portimotum ejusdem Burgi, nec in aliquo Placito extra Burgum suum tractentur de transgressionibus infra burgum factis: et si aliquis eorum in misericordiâ pro aliquo forisfacto incidit, amercietur per pares suos; et hoc secundùm quantitatem delicti.

 "Volo

ALTRINGHAM.

"Volo etiam quod Burgenses mei molent omnia blada sua super terram de Altringham crescentia, vel in eâdem villâ Herburgata, ad molendina mea pro octavo-decimo vase multuræ: Concedo etiam quod prædicti Burgenses mei faciant sibi Prepositos et Ballivos per commune concilium mei, vel Ballivorum meorum et ipsorum: Et nullum placitum in dicto Burgo teneatur, nec determinetur, nisi coram me vel Ballivo meo: Et quod unusquisque Burgensis teneat Burgagium suum duarum perticarum terræ in latitudine, et quinque in longitudine, cum unâ acrâ terræ integrâ in campis, pro duodecim denariis ad tres terminos anni mihi et hæredibus meis annuatim solvendis, per æquales portiones; videlicet, ad nativitatem sancti Johannis Baptistæ, ad Festum omnium Sanctorum, et ad Annunciationem Beatæ Mariæ; liberè, quietè, pacificè et integrè, cum omnibus libertatibus præscriptis: et quod singulus Burgensis Burgagium suum possit vendere, invadiare, dare, vel in testamento assignare cuicunque vel quibuscunque voluerit, exceptis ministris Domini Regis et viris religiosis, sine contradictione alicujus vel aliquorum; salvâ mihi et hæredibus meis libertate Furni nostri in eodem Burgo: Ego vero prædictus Hamundus et hæredes mei prædicta Burgagia, cum acris terræ adjacentibus, et omnibus libertatibus suprascriptis, prædictis Burgensibus meis, et hæredibus suis et assignatis, contrà omnes gentes in perpetuum warrantizabimus: In hujus rei testimonium huic præsenti Chartæ sigillum meum apposui. His testibus, Dominis Reginaldo de Grey tunc Justiciario Cestriæ, Humfrido de Bello Campo, Ricardo de Massy, militibus, Gilberto de Aston, Thomâ de Actone, Hugone de Baggelegh, Matthæo de Hale, Henrico de Doneham, Johanne de Bowdon, et aliis."

Leycester considers this charter to have been granted in the reign of Edward the First, about the year 1290. He cites, "Chart. Edw. I. memb. 3. Rex concessit Hamoni de Massy unum mercatum per diem Martis apud manerium suum de Altrincham; et unam feriam per tres dies duraturam, videlicet, in vigiliâ, die, et crastino Festi Assumptionis Beatæ Mariæ. Lib. c. fol. 260–9;" and adds, "and hereupon he made his charter to his burgesses of Altringham of a guild mercatory"—above set out.

And if the statement made by Leycester, in his elaborate pedigree of the Massies, be correct; viz. that this Hamon was the sixth and last Baron of Dunham Massey, the date indorsed upon the charter, as above mentioned, cannot be accurate.

Title.

5. The corporation of Altringham has probably for centuries not been any thing more than a mere honorary appendage to the barony of Dunham Massey; there does not appear to have been ever any recognized title of the corporation.

The leases of the lands granted by the Dunham family, as hereinafter mentioned, are made to the mayor for the time being by name.

Consistently with the actual constitution of the corporate body, their title would be "The Mayor, Aldermen and Burgesses of the Borough of Altringham."

Officers.

6. The Officers are,—

Mayor, 1;
Steward, 1,
Aldermen, an indefinite number;
Bailiff, 1;
Constables, 2; with several subordinate officers.

Mayor, how elected.

7. Two courts leet for the borough of Altringham are held annually, in the spring and autumn; at the latter the officers are chosen.

The jury return, entirely at their own discretion, the names of three persons to the steward, out of whom he selects one to be mayor.

If the attendance of the new mayor can be procured at the same court, he is then sworn in. If not, an adjourned court is fixed for the purpose.

He holds the office for one year.

Mayor, functions of.

8. The office is purely honorary. The mayor attends the ceremony of proclaiming the fairs with the steward and bailiff, but has no active functions to perform; nor does it appear ever to have been an office to which any duties were attached. Leycester indeed says, "Although we usually style the chief officer here Mayor of Altrincham, yet in truth he is no more than a principal officer, without any magisterial authority."

The mayors have indeed occasionally gone round with the constables, to assist them with their countenance as conservators of the peace.

But in no instance does any magisterial act appear to have been done by them, nor has the right ever been asserted.

The same individual has sometimes filled the office twice.

Mayor, salary of.

9. The rents and profits of certain lands, hereafter particularized, are at the disposal of the mayor of Altringham for the time being.

These amount at present to 58*l.* 5*s.* per annum, and have formerly been let for 70*l.*

Nearly the whole has been commonly absorbed in feasting. Formerly there used to be two dinners, and the surplus, if any, went to the poor. Afterwards, the proceeds were applied in aid of lighting and watching the town. But since the town has adopted the provisions of the general lighting and watching Act, 11 Geo. IV. & 1 Will. IV. c. 27, the ancient festivities have been resumed, and last year left no residue for the poor.

Steward, how appointed.

10. The Steward is appointed by the lord of the barony of Dunham Massey, which, as already noticed, (s. 2.) extends over a large district, comprising, among many other townships, the borough of Altringham. A copy of his appointment accompanies this report; it invests him with the office, "to be executed by him, or his deputy or deputies thereunto lawfully authorized, during the will and pleasure" of the lord.

11. His

11. His only functions are, to hold the courts leet twice in the year. A court baron used formerly to be held, at which pleas for the recovery of debts under 40*s.* were triable; but this court has fallen into complete disuse; the last entry of any cause was one in 33 Geo. III. Steward, functions of.

12. The steward receives no salary; but the appointment confers on him all and every the fees and profits belonging or incident to the office, and he does in fact take the amerciaments in the court leet. Steward, salary of.

13. The office of Alderman is a mere emanation from the honorary office of mayor; without any duties or emoluments whatsoever; all who have served the office of mayor are, by courtesy, styled Aldermen. Aldermen.

14. The Bailiff is appointed by the steward, with the approbation of the lord of the manor, and his appointment also is during pleasure. Bailiff.

He summons the juries and collects the estreats; has a small salary allowed by the lord, and, by courtesy, 1*s.* 3*d.* out of every fine amerced.

15. The two Constables, who constitute the whole police of the town, are appointed yearly by the jury at the court leet. Constables.

16. One new juryman (familiarly styled "the colt") is sworn in annually at the leet. Mode of becoming free.

He is recommended by the steward as a fit person for the bailiff to warn. The bailiff warns accordingly, and the jury invariably return the person so warned as the new burgess.

His admission is recorded shortly, "We return for burgess Mr. A. B." He is always a freeholder, holding land within the manor in his own right.

Three of the burgesses are then put in nomination, as above mentioned, for the office of mayor; the only privilege annexed to the character of burgess is, that it forms a necessary qualification for the dignity of mayor.

There are from 20 to 25 burgesses resident within the limits of the borough, and many non-resident, some of whom are aldermen.

If no new freeholder can be found to warn as burgess, the return is left blank for that year.

17. It is sufficiently obvious from what has been stated, that the corporation of Altringham is a mere harmless institution, subservient to the lord of the barony of Dunham Massey for the time being. Some claim for respect may be derived to it from its high antiquity, but none can be conceded on any other score. Ruling Body.

18. No Fees whatever are paid upon the admission either of the new made burgesses, or of any officer. Fees.

19. Besides the Court Leet and the obsolete Court Baron before noticed, a Court of Pie Poudre used anciently to be holden at the fairs. Courts.

This has also been wholly discontinued, though within living memory the ceremony of walking the fairs in procession was kept up by the mayor.

Three fairs annually and two weekly markets are now holden. The tolls taken at all of which are collected by the bailiff and go to the lord. The entire tolls, including stallage, are said to produce 15*l.* or 16*l.* a year.

The court books, which are among the muniments of the Earl of Stamford, at Dunham Massey, go back to a very remote period.

20. The bailiff summons, at his discretion, those who are to serve on the Jury at the court leet. Those who make default are fined 6*s.* 8*d.*, 13*s.* 4*d.*, or sometimes as much as 1*l.* Juries.

A dinner assists in gathering them together, to which the lord usually contributes 3*l.* and the colt a guinea, his contribution having been recently reduced from three guineas.

21. In 1699, George Earl of Warrington, by deed, conveyed a certain parcel of waste land (stated at that time to be unimproved) for a term of 5,000 years, at a reserved rent of 12*d.* to the mayor of Altringham for the time being; to hold to the said mayor (John Eccles), his executors, administrators and assigns, to and for the only proper use and behoof of the said John Eccles and his successors, mayors of Altringham. And in the said deed there is a proviso, that if any person, being an alderman or burgess, should at any time thereafter neglect to contribute towards the improvement of the land, he should be debarred from partaking in any trust, benefit, &c. conferred by that deed, until he should have paid down to the purse-bearer treble the share that he had neglected to contribute according to the deed. Property.

In 1716, the same Earl of Warrington, by deed, between him and Charles Creswell, then mayor, conveyed another piece of waste land in precisely the same mode, and with similar covenants.

Under these deeds the mayor for the time being, as the leases have fallen in, has re-let those lands, usually for a term of 14 years, but occasionally of 21.

The subsisting leases bear date 25th February 1823, and are three in number; the reserved rents being respectively, 25*l.*, 16*l.* 15*s.* and 16*l.* 10*s.*

The lands are let publicly, either by auction or ticket, to the highest bidder, and have produced as much as 70*l.* per annum. They contain, by estimation, about six Cheshire acres, which are equivalent to 13 English. The mode of application of the rents and profits has been already stated, (s. 9.)

ALTRINGHAM.

Gaol.

22. There is a Lock-up-house attached to the court-house; but it was built at the expense of the lord of the manor, and is his property.

A right of common is exercised by all the freeholders upon the wastes within the manor, of which the poor cottagers are said to get the greatest share; so that it would seem that the same state of things described by Leycester 165 years ago still continues. After stating the number of charterers in Dunham Massey, "At this day, 1669," he adds, "there are so very many small cottages erected here by the permission of the lords of Dunham Massey, that it has now become a nest of beggars."

General state and prospects.

Poor.

23. The population is almost exclusively agricultural. That of the borough of Altringham at the last census was about 2,900 souls. There is some little hand-loom weaving, the wages of which trade are still very low, though on the advance.

The poorer class of inhabitants are principally employed in the cultivation of small plots of garden ground, (the soil being naturally highly productive) of which the produce is taken to Manchester market.

The poor rates are heavy, amounting to 7*s.* or 8*s.* in the pound, on an estimate of two-thirds of the rack rent for houses, and three-fourths for lands.

Able-bodied labourers, however, are said to find no difficulty in finding employment at reasonably good wages. There is a workhouse for the infirm and children.

Church.

24. The living of Altringham is a perpetual curacy within the parish of Bowdon, and is in the gift of the vicar of that parish.

The chapel was built only about 35 years since. There was previously no place of worship of the established church within the borough; but the parish church is distant but a mile.

Duty is done at the chapel twice every Sunday. There is a Sunday school connected with it, supported by subscriptions and congregational collections, with about 80 or 90 boys and more girls.

Dissenting Congregations.

25. There are dissenting meetings of the new and old connexion, with large congregations and Sunday-schools attached to them.

The Unitarians have a small chapel and a school. There are no Roman Catholics.

Complaints.

26. Complaints are made of the redundancy of beer-shops, and of the deficiency of a local magistracy.

The nearest county magistrate, Mr. Trafford, resides at a distance of six miles. Petty sessions are held at Hoo Green, five or six miles off.

Durham, 3d April 1834. *Geo. Hutton Wilkinson.*

The following Document is sent with this Report:

A. Copy Appointment, dated 7th September 1819, of Mr. Hugo Worthington, as Steward of the Barony of Dunham Massey, &c.

A Copy of the Charter is embodied in the Report.

REPORT

ON

THE BOROUGH OF BANGOR,

(CARNARVONSHIRE.)

BOROUGH OF BANGOR.

AN obscure tradition appears still to linger there, that the city of Bangor was formerly incorporated; that it is a city, the seat of a most ancient bishoprick, is alone sufficient to render such a tradition extremely probable. A person who had long resided there stated that he recollected having formerly seen an old man, who was called "the alderman," and the last alderman of Bangor; but he was always intoxicated, and whether he was so called in jest on that account, or seriously from having filled a corporate office, was not known. Nor was any evidence of a less equivocal character communicated in support of the tradition.

It is loosely mentioned in books, that the city is under the government of the Bishop; if such were really the case, the right reverend Prelate would be a municipal corporation, although a corporation, not aggregate, but sole; but however it may have been formerly, or whatever foundation in law and in right there may be for the jurisdiction of his lordship, it was asserted that Bangor, like any other portion of the body of the county, is solely regulated at present in practice by the magistrates of the county.

The bishop, it is said, is the lord of the manor; his steward and agent, Mr. John Hughes, attorney-at-law, of Bangor, undertook to produce for examination the court books and court rolls of the manor; and an appointment was accordingly made for that purpose, which however was frustrated by an unfortunate mistake. Under the subsisting arrangements no other opportunity could be found without great sacrifices. Hereafter it might be very desirable, should occasion offer, to ascertain, as far as is possible, by the careful inspection of these and other documents, and by inquiries on the spot, what municipal rights may have existed, may have ceased, or may lie dormant, with regard to a city of a remarkable antiquity, and so famous as to have borne the title of Bangor the Great, and which, together with Port Penrhyn, appears to promise a very rapid augmentation of population, wealth and commercial importance.

The city of Bangor has lately been made a borough, contributory to Carnarvon.

27 January 1834. *T. J. Hogg.*

REPORT

ON

THE BOROUGH OF BEAUMARIS,

(ANGLESEY.)

CONTENTS.

	Page
Early State, and origin of Incorporation	2581
Local Limits	2581
Of Maritime Jurisdiction	2582
Charters: Edward I.	2582
Edward III.	2582
Richard II.	2582
Henry, Prince of Wales, temp. Henry IV.	2582
Henry VI.	2582
Edward IV.	2582
Richard III.	2582
Henry VII.	2582
Henry VIII.	2582
Edward VI.	2582
Elizabeth	2582
Governing	2582
Title	2583
Officers	2583
Mayor, Election of	2583
Functions of	2583
Bailiffs, Election of	2583
Functions and Privileges of	2583
Recorder, Election of	2583
Functions of	2584
Coroner, Election of	2584
Functions of	2584
Town Clerk and inferior Officers	2584
Functions of	2584
Treasurer	2584
Serjeants at Mace	2584
Functions and Salaries of	2585
Water Bailiff	2585
Clerk of Market	2585
Burleigh-men	2585
Constables	2585
Town Stewards	2585
Sides-men	2585
Penalties for refusal to take Office	2585
Chief or Head Burgesses	2585
Freedom	2586
Freemen, Numbers of	2586
Privileges of	2586
Parliamentary Representation	2586
Under the Reform Act	2586
Ruling Body	2586
Bye-laws	2586
Fees	2586
Courts: Criminal, Quarter Sessions	2587
Frankpledge	2587
Civil, of Record	2587
Piepowder	2587
Juries	2587
Local Police	2587
Gaol	2587
Fines	2588
Property: Grant of Manor, &c.	2588
Present Possessions	2589
Income	2590
Debt	2590
Expenditure	2590
Salaries of Organist, &c.	2590
Anchorage and other Dues	2590
Table of ditto	2590
Market Tolls	2590
Accounts, Publication of	2591
Patronage: Free Grammar School	2591
Acts of Parliament, Local	2591
General State:	
Commerce of Port	2591
Ferry	2591
Baths	2591
Labouring Classes	2591
Poor Rates	2591
Church	2592
Schools	2592
Dissenting Meetings	2592
Language	2592
Beer-shops	2592
Documents sent with Report list of	2592

BOROUGH OF BEAUMARIS.

1. THE early state and history of this town, and the origin of the privileges conferred upon it by royal charter, are given by Pennant (vol. iii. p. 26) as follows:—"Edward the First created the place; for, after founding the castles of Caernarvon and Conwy, he discovered that it was necessary to put another curb on my headstrong countrymen. He built this fortress in 1295, and fixed on a marshy spot, near the chapel of St. Meugan, such as gave him an opportunity of forming a great foss round the castle, and of filling it with water from the sea. He also cut a canal, in order to permit vessels to discharge their lading beneath the walls; and, as a proof of the existence of such a conveniency, there were, within this century, iron rings affixed to them for the purpose of mooring the ships or boats." Early state of Town, and origin of its Incorporation.

After describing the structure of this venerable castle, its noble hall and chapel, its courts and galleries, he proceeds:—

"The first governor was Sir William Pickmore, a Gascon knight, appointed by Edward I. * * * The constable of the castle was always captain of the town, except in one instance, in the 36th of Henry VI., when Sir John Boteler held the first office, and Thomas Norreys the other.

"From the time of Sir Rowland Velwille, alias Brittagne, reputed base son of Henry VII., and constable of the castle, the garrison was withdrawn till the year 1642, when Thomas Cheadle, deputy to the Earl of Dorset, then constable, put into it men and ammunition.

"In 1643 Thomas Bulkeley, esq., soon after created Lord Bulkeley, succeeded. His son, Colonel Richard Bulkeley, and several gentlemen of the country, held it for the King till June 1646, when it surrendered on honourable terms to General Mytton, who made Captain Evans his deputy governor. In 1653 the annual expense of the garrison was 1,703*l.*

"Edward I., when he built the town, surrounded it with walls, made it a corporation, and endowed it with great privileges, and lands to a considerable value. * *

"The ferry lies near the town, and is passable at low water. It was granted by charter to the corporation in the 4th of Queen Elizabeth. I find an order from Edward II. to Robert Power, chamberlain of North Wales, to inspect into the state of the boat, which was then out of repair, and, in case it was feasible, to cause it to be made fit for use, at the expense of the bailiwick; but if the boat proved past repair, a new one was to be built, and the expense allowed by the King."

This curious document is given at length in the 4th vol. of the Sebright collection, and in Llwyd's "History of the Island of Mona," a copy of which is sent with this Report.

That mode of approaching the island is now superseded by the erection of the suspension bridge over the Menai Strait—a wonderful monument of modern art.

2. The governing charter of Elizabeth recognizes in the following terms the prescriptive boundaries of the borough of Beaumaris:—"Also, we will, &c., that the said burrough of Bewmares, and the circuit, precinct and jurisdiction thereof, from henceforth shall be and extend, as well in length and breadth as in circuit and precinct, to such like and the same bounds, metes and limits as the said burrough of Bewmares, and the circuit, precinct and jurisdiction of the same was wont and accustomed to be extended from the time out of man's memory, or any time before the date of these presents; and that it may and shall be lawful to the said mayor, bailiffs and burgesses of the said burrough and their successors, to make perambulations of the same for the survey, knowledge and limitation of their said liberties and franchises, by, nigh, within and without the said burrough and the circuit and precinct of the same, in what places, lands, tenements or lordships soever the same be within the said burrough, or within the county of Anglesey, without impeachment or impediment of us, our heirs or successors, or any other whosoever, as by squares, metes, bounds, lanes, paths, stones, walls, hedges, waters, ditches, houses, crosses, or otherwise howsoever they be limited, as beforetime they were accustomed." Local Limits.

These limits comprehend the whole of the parish of Beaumaris, and parts of the several parishes of Llandegvan, Llanvaes (otherwise Beaumaris liberties), Llaniestyn, Llanddona, Llanfihangel-Dynsylwy and Penmon.

Of late they have been perambulated once in every three years. A survey taken about ten years ago, and which accurately represents the boundaries of the borough, is in the possession of the corporation.

The limits are defined in various ways, as intimated by the charter, and they have never been the subject of litigation or dispute.

The borough extends inland, to the north-west, about two miles; along the shore, to the north-east, about a mile and half; and to the south-west above a mile.

BEAUMARIS.

Limits of Maritime Jurisdiction.

3. A Maritime Jurisdiction, but not of an exclusive nature for all purposes, is also claimed by prescription from the Menai Bridge to Priestholm, or, as it is popularly called, Puffin Island.

This privilege is confirmed by the charter of Elizabeth, in the following terms:

"And that the said mayor, bailiffs and burgesses of the said borough, and their successors, may and shall have for evermore from henceforth, such, the same, and the like anchorages and other customs, as well by sea as by shore, within flood and ebb of the sea, between the isle called Priestholm and a place called the Swelly" (Menai Bridge is founded on the Swelly Rocks), "as and the which in anywise heretofore they have lawfully had and enjoyed, or were accustomed or ought to have or enjoy, without impediment of us or our high admiral of England, or of our heirs or successors."

The jurisdiction of the coroner will be noticed hereafter.

The importance to this town of the preservation of her sea defences is manifested by the following provision of the same charter, under which the office of water-bailiff appears to have been established:

"We have granted also, and for us, our heirs and successors, by these presents do grant to the said mayor, bailiffs and burgesses, and their successors for ever, that the said mayor, bailiffs and burgesses of the said borough and their successors, may yearly, from time to time, take, receive and have, within the said borough and the liberties and precincts of the same, all and singular such and the like sums of money for toll and custom there, for the reparation, amendment and fortification of the walls, gates, towers, sea and fresh water banks, and of other places of defence against our enemies, and for defence for resistance of the sea there flowing, to be made as well by the hands of the bailiffs of the said borough for the time being, as by the hands of any other honest and lawful men of the said borough that thereunto from time to time they will depute, as the burgesses of the said borough or their ministers, before this time being, have lawfully taken or were accustomed and ought to take and receive, time out of mind, without any account to us, our heirs or successors, to the Exchequer of us, our heirs or successors, or elsewhere, for the same in anywise to be yielded or paid."

Charters.

4. The Governing Charter, which is tested at Westminster, 22d July, 4th Elizabeth, recites by inspeximus the following charters:

Dated.	Reign.	Place.
15th September	24th Edward I.	Berwick-upon-Tweed.
27th January	5th Edward III.	Waltham Cross.
3d June	2d Richard II.	Westminster.
8th September (Charter of Henry, Prince of Wales)	9th Henry IV.	Harlaugh (Harlech).
5th December	4th Henry VI.	Westminster.
28th September	8th Edward IV.	Westminster.
7th March	1st Richard III.	Westminster.
3d December	18th Henry VII.	Westminster.
1st March	1st Henry VIII.	Westminster.
20th November	1st Edward VI.	Westminster.

The corporation does not possess the original of any one of these charters. The translation of the governing charter which accompanies this Report is taken from an ancient copy in the custody of the corporation, subscribed: "Faithfully translated according to the letter of the original, by me, Rowland Kenverick, town clerk there. Finished the 10th day of July, anno 1565;" that is, within three years after the date of the charter itself. Rowland Kenverick is one of the "first and present bayliffes" nominated by the charter.

Original Charter.

5. The original Charter of Edward I. constituted "the town of Bewmares a free borough, and the men of the same free burgesses, and that the constable of the castle of Bewmares for the time being be mayor of the same borough." That the "burgesses every year in the feast of St. Michael might choose of themselves two meet and sufficient bayliffes." That they should have their free prison, and a guild of merchandize with a hanse. That the lands assigned to the borough should be diswarened and disforested. That Jews should not dwell among them. That they should be "quit through all our land of toll, lastage, passage, murage, poundage and stallage, and of Line Danegeld and Gaywite, and of all other customs and executions, through all our power, as well in England as in all other our lands and dominions."

That no sheriff should intromit upon them, saving the pleas of the Crown, with other like immunities. And that the burgesses should not be "convicted by any foreigners in any appeals, rights, wrongs, trespasses, crimes, claims or demands, to them laid or to be laid throughout our land of Wales, but only by English burgesses; except it be for any matter touching the commonalty of the said borough; and then in such case that they be led according to the liberties approved, and hitherto reasonably used in our city of Hereford."

Governing Charter.

6. The Governing Charter of Elizabeth, reciting that the burgesses had surrendered and yielded to be cancelled this of Edward I., and all the other charters and letters patent above enumerated, touching, however, only the appointment of the mayor and two bailiffs, proceeds to establish the new constitution of the corporation, and to confer additional privileges, in the manner which will be detailed in the sequel of this Report; and confirms and ratifies all and singular their franchises (in the largest terms) except those "before by the said burgesses of the town of Bewmares in form aforesaid surrendered."

7. The title of the corporation, under the governing charter, is, "Mayor, Bayliffes and Burgesses of the Burrough of Bewmares."

In practice, the corporation usually adds, "And of the liberties and precincts thereof."

8. The

8. The following is the list of Corporate Officers: BEAUMARIS.

Officers.

Mayor	1
Bailiffs	2
Recorder	1
Coroner	1
Town Clerk	1
Treasurer	1
Serjeants at Mace	2
Water Bailiff	1
Clerk of Market	1
Burleigh-men	2
Constables	6
Town Stewards	2
Sides-men	2
Chief Burgesses and Counsellors	21

Mayor, election of.

9. The charter provides that the "mayor, bayliffes and head burgesses of the said borough for the time being, or the more part of them, from time to time for ever hereafter, may and shall have power and authority yearly, in the month of September (that is to say), the Monday next before the feast of St. Michael the Archangel, to elect and name, and that they may elect and name one of the head burgesses, that shall be mayor of the same borough for one whole year then next following: and that he, after that he shall be so elected and named to be mayor of the said borough, before he be admitted to execute the said office, shall make a corporal oath, on Monday then next following the said nomination and election, before the mayor being his predecessor, in presence of the bayliffes and ten other of the head burgesses of the said borough for the time being, well and faithfully to execute the same office."

The election is stated to be conducted practically in conformity with the charter: any capital burgess puts in nomination a candidate for the mayoralty; and in the event of more than one candidate being so nominated and seconded, a poll takes place.

In case of the death of the mayor within his year of office, the charter provides for a like election of one to fill the office during the rest of that year, but makes no provision for vacancies otherwise occasioned.

Mayor, functions of.

10. The charter ordains "that the mayor, bayliffes and recorder of the said borough for the time being, during the time that they shall happen to be in their said offices, shall be the justices of us, our heirs and successors, to conserve the peace in the same borough, and the liberties and precincts of the same." And that any "three or two of them" may have the full power and authority of justices of the peace for any county; so, nevertheless, that they may not proceed to the "trial of any treason, murder or felony, or any other matter touching the loss of life, without the special commandment of us, our heirs and successors."

The mayor is, moreover, presiding magistrate at the court of quarter sessions; and one of the justices empowered by the same charter to hear and determine pleas at the civil court of record.

He is also under the charter clerk of the market within the said borough and the liberties and precincts of the same, into which the clerk of the market of the King's household is prohibited from intromitting: this office he performs by deputy.

Up to the date of the charter of Elizabeth, the office of mayor was annexed, according to the charter of Edward I. to that of constable of the castle. The last constable was the late Lord Bulkeley: upon his death in 1822, no re-appointment took place, the castle having been, in fact, aliened by the Crown to Lord Bulkeley in 1807.

Neither salary, emoluments, privileges or expenses are attached to the office.

Bailiffs, election of.

11. The Bailiffs are chosen, under the charter, precisely as the mayor, by the mayor, bailiffs and head burgesses, from among the head burgesses, for a year. The only distinction is, that in the case of the bailiffs the charter makes provision for their being replaced during the year of office, in case of removal as well as of death.

Bailiffs, functions and privileges.

12. The Functions of the Bailiffs as justices of the peace have been already noticed (s. 10.); and they are also empowered to hold, with the mayor, the civil court of record. (*See* s. 39.)

They have no other emolument from the office than that of turning each a cow upon the town field (a field consisting of about 18 acres, and called St. Mary's Field, or Caeau Mair), or in lieu thereof to receive a money payment of 30*s*. They are, by the charter, also keepers of the borough gaol, which duty is performed by one of the serjeants at mace.

Recorder, election of.

13. The charter provides that the mayor, bailiffs and head burgesses for the time being, or the more part of them, may choose, ordain and name one honest and discreet man from time to time to be Recorder of the said borough.

In practice he has always been chosen from among the capital burgesses.

The present recorder is Sir Richard Bulkeley Williams Bulkeley, bart. M.P. for Anglesey, of Baron Hill, within the liberties of the borough.

He is chosen to execute the office "at the will and pleasure of the mayor, bailiffs and head burgesses of the said borough, or the greater part of them for the time being."

BEAUMARIS.

Recorder, functions of.

14. The Recorder (as noticed s. 10.) is one of the justices of the peace, by virtue of his office, under the charter of Elizabeth; and he is thereby empowered to act as one of the magistrates at the court of quarter sessions.

The office, however, has not been filled by any one educated to the profession of the law since the middle of the last century; and the actual duties are very trifling. The present recorder occasionally attends when in the country.

There is a salary of 2*l.* a year attached to the office, which he allows the town clerk to receive.

Coroner, election of.

15. The charter provides that the "mayor, bayliffes and head burgesses of the said borough for the time being, or the more part of them, may elect and constitute yearly, on the said Monday next before the feast of St. Michael the Archangel, one of the burgesses of the said borough to be coroner in the said borough; which coroner shall be sworn before the mayor and bayliffes of the said borough for the time being well and faithfully to execute his office."

And there is a power given, in case "it fortune the said coroner to die or to be removed from his office within the year, to choose in like manner and put in authority one other of the burgesses during the rest of that year."

Coroner, functions of.

16. The Coroner for this borough holds inquests upon all bodies found within the limits over which a maritime jurisdiction is claimed and exercised, as stated in s. 3; viz. over the whole strait, and the shore and sands thereof (but not on the Caernarvonshire shore), from the Swelly Rocks to the island of Priestholm. The jurisdiction of the coroner is exclusive within those limits. Inquisitions are frequent.

It used formerly to be the practice to appoint the junior bailiff coroner for the succeeding year; but, for the last two years, it has been deemed more convenient that the office should be executed by the town clerk, who accordingly now holds it.

He receives the statutable fees merely.

Town Clerk and inferior Officers, election of.

17. The charter provides, that "the mayor, bayliffes and head burgesses of the said borough for the time being, or the more part of them, may elect, name and appoint from time to time, for ever hereafter, one honest and discreet man to be the Town Clerk of the said borough, and also as many auditors, receivers, constables and other inferior officers and ministers within the said borough, as shall seem to the said mayor, bailiffs and head burgesses necessary and expedient to be had; and that those officers or ministers severally elected and named to their offices, shall be sworn before the mayor, bayliffes and six of the chief burgesses of the said borough in due manner, well and faithfully to execute the offices; and that they so elected and put in authority, and every of them, may severally have and exercise their offices for one whole year then next following, or longer, at the discretion and pleasure of the said mayor, bayliffes and chief burgesses, or the more part of them."

And there is the like power of appointment, in case of the death or removal of any such officer.

Town Clerk's functions and salary.

18. The Town Clerk acts, in all respects, as clerk to the borough magistrates, but does not assume the name of clerk of the peace.

With the fees of that office he has also a salary of 21*l.* a year, paid out of the funds of the corporation. He receives certain fees on the admission of burgesses, and is paid as a solicitor for business done for the corporation.

Treasurer.

19. The office of Treasurer is not recognized by the charter, and is probably of modern origin.

It appears, from an entry in the corporation books, that in 1825, "in consequence of the increasing value of the estates of the corporation, and the trouble thereby occasioned to the bailiffs," it was resolved that a treasurer should be appointed, by the mayor, bailiffs and capital burgesses, at a guildhall meeting, to act as receiver for the corporation estates; and to continue in office during their pleasure.

The office was undertaken by a professional gentleman, a member of the corporation, who has continued to exercise it gratuitously from that time.

Serjeants-at-Mace.

20. The office and functions of Serjeants-at-Mace are thus defined by the charter:—"Moreover, for confirmation and increase of the name and worship of the said borough, we will, &c. that there shall be in the said borough two officers which shall be and be called Serjeants at the Maces, for execution of processes, mandates, and of all other business to be executed and done in the said borough from time to time; which two serjeants at the maces, and either of them, shall be attendant from time to time upon the mayor and bayliffes of the said borough for the time being, and shall be yearly named, elected and appointed (on the Charter-day) for one whole year then next following by the mayor, bayliffes and head burgesses, &c."

It then directs that they shall "carry and bear, in all places within the said borough of Bewmares, and the liberties and precinct of the same, before the mayor and bayliffes, &c. maces over gilt or of silver, graven and decked with the sign of th' arms of this realm of England; and that the said mayor, bayliffes and burgesses of the said borough for the time being shall meet us, our heirs and successors, and also our children, without the said borough and within the limits of our county of Anglesey, when and as often as that it shall happen us or them to repair to the said borough; and that then and so often the said mayor and the said bayliffes for the time being shall bear in their hands the said maces, and with the same maces shall go before us, our heirs and successors, and our children, and before every of us, unto and through the said borough, &c."

The

The serjeants-at-mace are also sworn in as constables, and act as conservators of the peace; and they collect the Crown rents, hereafter mentioned. (s. 46).

Functions and salaries of Serjeants-at-Mace.

21. They have each a salary of 5 *l.* 5 *s.* a year, in addition to their fees in discharge of their duties as constables.

One of them, who acts as beadle also, receives from the corporation funds an additional salary of 7 *l.* 7 *s.* yearly, with a house in the bridewell (of which as beadle he is the keeper); and the privilege of turning a horse on the town field. He gets also some trifling payments for stallage in the markets.

His whole time is occupied with his duties.

Water Bailiff, appointment of.

22. The reservation of the prescriptive anchorages and other sea customs of the borough has been noticed already (s. 3.) A Water Bailiff is appointed annually, precisely in the same manner as the serjeants-at-mace.

Functions and emoluments.

23. His functions are to receive the anchorage and perchage (for the placing of buoys, beacons, &c.) These he farmed of the corporation, at a yearly rent of 80 *l.*, under an agreement for a term of 10 years, which recently expired.

He also executes all warrants upon the water and in vessels lying upon the shore below high-water mark, upon the execution of which he ordinarily receives a fee of 6 *s.* 8 *d.*, but more if the magistrates deem any extraordinary assistance requisite.

Clerk of the Market.

24. The chartered office of Clerk of the Market (as noticed in s. 10) is executed by a deputy under the mayor for the time being.

He inspects and reports to the magistrates false weights and measures, and unsound or unwholesome meat.

The duty is stated to be actively discharged, yet without any salary or reward whatever.

Burleigh-men.

25. The charter grants to the mayor, bailiffs and burgesses "that they, their heirs and successors, may and shall have for ever all and all manner of goods and chattels waifed or hereafter to waif, and also strays within the said borough and the liberties and precinct of the same, from henceforth found or happening."

The office of the Burleigh-men is to impound such waifs and estrays, to abate encroachments, inquire into all differences respecting the wastes, and to act in all respects as the agents of the corporation in their character of lords of the manor of Beaumaris.

They are paid by certain small fees (viz. 1 *s.* when acting within the town, 2 *s.* in other parts of the liberties) upon all acts done in pursuance of their office.

Constables.

26. Six Constables are at present appointed; the mode of their appointment pursuant to the charter was stated in s. 17.

In addition to the usual fees annexed to the office, they have each 1 *s.* 6 *d.* for keeping watch and ward on the four fair nights in the year, and an allowance of 1 *l.* 1 *s.* each out of the corporation funds.

The latter however is a gratuity, given only in case of good conduct, and which has been disallowed in frequent instances.

Town Stewards.

27. The Town Stewards are appointed by the borough magistrates yearly.

Their duty is to attend to the regulation of the church (these officers being duly appointed churchwardens also, as a matter of course), and also to the concerns of the poor of the parish of Beaumaris.

They have no salary, and their actual expenses are paid, not out of the corporation funds, but from the poor rates.

Sides-men.

28. The Sides-men are assistants merely to the town stewards, and similarly appointed.

They attend more particularly to the regulation of the public-houses.

They have no fees or emoluments.

Penalties for refusal of office.

29. There is a provision in the charter, that "if any person or persons that hereafter shall be elected and named to the office of mayor, bayliffes, coroner, auditors or other inferior officers in the said borough, or any of them (except the offices of recorder and town clerk of the said borough), and having notice and knowledge of the same election and nomination, shall refuse the same, &c., it shall be lawful to the mayor, bayliffes and head burgesses, or the more part of them, to commit him or them so refusing, &c., to the gaol of the said borough, there to remain until he or they will exercise the same office or offices; and to cesse fines and amerciaments upon such recusant or recusants as shall be thought reasonable to the said mayor, bayliffes and head burgesses; and to commit him or them so refusing to the gaol of the said borough, there to remain until he or they pay or cause to be paid the same fines and amerciaments to the use of the said borough."

Chief or Head Burgesses.

30. The charter ordains, that "there shall be in the said borough twenty and one men of the best and most honest burgesses of the same borough which shall be and be called Chief Burgesses and Counsellors of the same borough; and the same twenty and one chief burgesses and counsellors shall be for ever hereafter assistants and helpers to the said mayor and bayliffes for the time being in all things, business, causes and matters touching the said borough, and the good will, state and governance of the same." After constituting the first and present chief burgesses, among whom are found Sir Richard William Bulkeley, knight, Rowland Bulkeley, his brother, and Edmund Bulkeley, it provides, "that whensoever it shall happen any of the said one and twenty chief burgesses, &c. to die or to be removed, then and so often it may and shall be lawful to other the head burgesses and counsellors of

BEAUMARIS.

the said borough then surviving and remaining, or to the more part of them, to elect, name and authorize one or more other of the burgesses of the said borough unto the place or places, &c.," who is to take the oath before the mayor, bailiffs and six of the chief burgesses.

Freedom.

31. The only mode of acquiring freedom recognized in this borough is by election of the mayor, bailiffs and chief burgesses.

At the requisition of any of these electors the town clerk summons a meeting of the corporation (with reasonable notice) at the guildhall; at which the mayor, bailiffs and six capital burgesses, at least, must be present. These meetings (rare in practice) are usually on the charter day, but not always.

It might be anticipated that no great dissensions would be found to have subsisted on the subject of these admissions, and that they would be few and far between.

Accordingly, no contest has occurred in their peaceful hall within the memory of man; and the following is the roll of common burgesses:

Freemen, numbers of.

H. R. H. The Duke of Sussex,
H. R. H. The Duke of Gloucester,
Lord Mostyn,
Captain Paget,
Thomas Frankland Lewis, esq.

All of whom were appointed under mere honorary presentations of the freedom, and were never resident within the borough. Including the mayor, bailiffs and 21 capital burgesses, (a list of whom is sent herewith) the entire body of corporators thus amounts to 29.

Privileges of Freemen.

32. The only privileges enjoyed by the freemen at large are those of exemption from toll and town dues within the borough; but upon the head burgesses the charter of Elizabeth confers the privilege of returning a member to serve the borough in Parliament, in the following terms:

Parliamentary Representation.

33. " Also we will and ordain, and for us, our heirs and successors, by these presents, do grant to the said mayor, bayliffes and burgesses of the said borough, and their successors, that there be and shall be in the said borough one burgess of the Parliament of us, our heirs and successors; and that the said mayor, bayliffes and head burgesses of the said borough of Bewmaris, and their successors, as often as and whensoever the Parliament of us, our heirs and successors, shall happen to be summoned, begun or called together, by virtue of the writ of us, our heirs or successors, of election of a burgess of the Parliament to them directed, or otherwise, by their election, may and shall have full power and authority to elect and name one discreet and honest man burgess of the said borough, to be burgess of the Parliament of us, our heirs and successors, for the same borough; and the same burgess so chosen they shall send at the costs and charges of the said borough, and of the commonalty of the same, to the Parliament of us, our heirs and successors, wheresoever it shall be then holden, in the same manner and form as in any other borough of our realm of England is used and accustomed, which burgess, so elected and named, we will shall be present and abide at the Parliament of us, our heirs and successors, at the charges and costs of the said borough of Bewmaris, and the commonalty of the same, during such time as the same Parliament shall happen to be holden, in like manner and form as other burgesses of the Parliament for any other borough within our said realm of England do, and are accustomed or ought to do. The which burgess also shall have in such Parliament their voices, as well affirmative as negative, and shall do and execute all and singular other things there, the which other burgesses of the Parliament of us, our heirs and successors, for any other borough, have, do and execute, or may have, do and execute in anywise."

Representation under Reform Act.

Under section 8 of the Reform Act, 2 Will. IV. c. 45., the towns of Amlwch, Holyhead and Llangefni, are entitled to have a share in the election of a member to serve in all future Parliaments for the borough of Beaumaris. The number of voters placed upon the Register, in pursuance of that Act in 1832, as entitled to vote for that borough in respect of property, was 329.

Ruling Body.

34. All comment upon the constitution of the Ruling Body in this borough is rendered superfluous, by the account given in sections 30, 31, of the mode of election of chief burgesses, and of admission of freemen.

Bye-laws.

35. The charter confers the amplest powers upon the mayor, bailiffs and chief burgesses, " or the more part of them in the said court or convocation assembled, to constitute, ordain, make and establish from time to time such laws, decrees, ordinances and constitutions as to them, or the more part of them, shall seem good, wholesome, profitable, honest and necessary, according to their sound discretions, for the good rule and government of the mayor, bayliffes and chief burgesses, and of all and singular the other burgesses of the said borough, and of the other officers, ministers and artificers whatsoever inhabiting and resiant within the borough, &c.; and also for the governance, disposition, setting and letting of the lands, tenements, possessions, revenue and hereditaments," &c., with full powers to " get, limit and provide such punishments, penalties, pains and imprisonments of bodies, or by fines, amerciaments or both of them, upon and against all offenders of such laws, &c., as to the same mayor, bailiffs and head burgesses for the time being, or to the greater part of them, shall be thought necessary," &c.

Entries of enactments of bye-laws made in 1788, by 10 capital burgesses only, show the construction which has been put by the corporation, in reference to this power, upon the words, " or the more part of them in the said court or convocation assembled."

Fees.

36. A Fee of 10*s.* is paid to the town clerk on recording the admission of every chief and common burgess, in pursuance of an order of 3d October 1803.

From an entry of 1785, it would appear that at that time a fee of 10*s.* 6*d.* was payable to the town clerk on the like occasion.

And from one of 1779 that the freedom used to be purchased at that day, at prices varying from 1*l.* 11*s.* 6*d.* to 4*l.* 14*s.* 6*d.*, but without any specification of fees payable to the town clerk, or otherwise.

Courts. Sessions.

37. The only court of criminal jurisdiction now in use within the borough is that of the Quarter Sessions: at which, the mayor usually is the presiding magistrate, and the jurisdiction extends to felonies not capital, and misdemeanors, as stated in s. 10.

The charter contains a non-intromittant clause for the justices of the peace of the county of Anglesey.

In the four sessions ensuing Michaelmas 1832, two prisoners only were tried for felony, and one bill ignored; and in the previous year also two only were tried. No misdemeanors have been tried for several years. There is no deviation from the process ordinarily in use at quarter sessions; and the fees are the same as those taken at the county sessions for Anglesey.

View of Frankpledge.

38. The charter gives also, "within the said borough and the liberties and precinct of the same, View of Frankpledge of all burgesses, inhabitants and resiants, twice by the year, in the guildhall of the said borough, to be holden at such days and times as to them shall be thought expedient and necessary; and all that ever appertaineth to a view of frankpledge, together with all summons, attachments, arrestments, issues, amerciaments, fines, ransoms, profits, commodities and other things whatsoever, which thereof might or ought to appertain to us, our heirs and successors, in anywise."

Civil Court of Record.

39. It grants also "to the said mayor, bayliffes and burgesses of the said borough and their successors, that they and their successors may have and hold from henceforth for evermore within the said borough, one Court of Record every Thursday in every week by year, before the mayor and bayliffes of the said borough, or before one of them, with the clerk of the court for the time being, to be holden;" with jurisdiction in all manner of personal suits, whether amounting to or exceeding 40*s.* There is a non-intromittant clause in the charter, which provides, that "no sheriff, bailiff, or other minister of us, our heirs or successors, shall enter into the said borough, or the liberties and precinct of the same, for doing of his office or any thing that appertaineth to the same." This court has now fallen into total disuse. The last entry in the court-book is dated in 1779—a plea of debt for 19*l.*; previous to which there did not appear to have been any suit instituted from 1763. No cause was assigned for this failure in the practice of the court.

Piepowder Court.

40. The charter gives "two markets every week yearly for ever; that is to say, on Wednesdays and Saturdays: and also three fairs in every year for ever, (at stated times)." "Together with a Court of Piepowder, to be holden there for the time of the said fairs and markets, and with all liberties and free customs to such court belonging, &c."

One market only is now held weekly, on Saturday: the tolls continue to be partially taken, as hereafter noticed; but the court is disused.

Juries.

41. Notwithstanding the non-intromittant clause above-mentioned, which interdicts all sheriffs, bailiffs and other ministers from entering the borough to do any thing appertaining to their office, the inhabitants, in point of practice, always serve on the county juries, as well as those of the borough. This double duty is the subject of occasional complaint. One precept goes to the serjeants-at-mace to summon both grand and petty jury, with merely an injunction to them from the town clerk to summon the most substantial inhabitants of the borough on the former.

The serjeants-at-mace select the individuals at their discretion: there are from 30 to 40 qualified, according to what is considered a fit station in life, here to serve on the grand jury. No instance has occurred of any necessity to fine for non-attendance those summoned on either jury.

Local Police.

42. The Local Police consists of the two serjeants-at-mace (the chief of whom is beadle also, and keeper of the bridewell) and six constables.

It is regulated, through the town clerk, under the direction of the mayor, bailiffs and chief burgesses.

In ordinary circumstances, this force is found to be adequate to the exigencies of the borough. At the annual regatta it is usual to swear in from three to six special constables to keep order.

The constables, accompanied generally by one of the borough justices, visit all the public-houses on Saturdays and Sundays: and, during the winter, the principal inhabitants, with the constables, have of late formed a voluntary police to visit the public-houses every night for twelve weeks.

Gaol.

43. The charter provides, "that the said mayor, bayliffes and burgesses, and their successors, may and shall have within the said borough, and the liberties of the same, their own proper prison and gaol, and the keeping of all prisoners attached, or to be attached, or in anywise to prison adjudged within the liberties of the said borough, as well at the sentence, commendment and suite of us, our heirs and successors, as of other whomsoever, there to remain until, according to the law and custom of our realm of England, they shall be thence delivered. And that the bayliffes of the said borough be and shall be the keeper of the same gaol."

This duty (as already stated) is performed by one of the serjeants-at-mace.

BEAUMARIS.

The borough and county gaol are under the same roof, and were rebuilt in 1829: since that time several of the county magistrates, who happen to be members of the corporation, visit both gaols in rotation.

There used formerly to be great complaints respecting the state of the old gaol; the present gaol is well situated, airy and healthful; and appears to be duly regulated and kept in admirable order.

The new borough gaol was not built at the expense of the corporation, but by a rate on the borough. It was estimated that the population of the borough was $\frac{1}{20}^{th}$ that of the whole county; and, upon that calculation, it was agreed that the borough should bear that proportion of the entire cost of building and maintaining the new gaols.

Fines.

44. The power granted by the charter, of imposing fines for the refusal of office, has been already cited (s. 29.)

There are many instances to be found in the old books of the corporation of the exercise of the power to fine for non-attendance; but none such of a recent date.

A° 1708. Entry of a fine upon Griffith Harrison, for neglecting to give attendance when chosen bailiff.—Fined 40 *s.*, and another chosen in his stead.

4th October 1713. Entry of a fine upon William Jones, esq., recorder, and two head burgesses, of 2*s.* 6*d.* each, for neglecting to attend at the swearing in of the new magistrates.

23d September 1776. Lord Bulkely amoved from the office of mayor, and Sir Hugh Williams appointed in his stead, for having neglected his duty in not attending the meeting for the election of corporate officers.

Various instances appear of similar amotions.

These fines and forfeitures, as well as those imposed, under an ordinance of the 29th April 1773, for the regulation of pigs and swine, (that most difficult subject of Welsh municipal government), all go to the corporation chest.

Property.

45. The corporation are lords of the manor of Beaumaris, under the following grant, contained in the governing charter of Elizabeth:

Grant of Manor, &c.

46. " And whereas we are done (made) to understand the tenements, walls and sea shores of the said borough are, these days, by vehement floods of the seas in ruin and decay, and by outrageous tempests of winds and violence of the sea, are in some places wasted, weather-beaten and destroyed, by reason whereof the said borough and many of the inhabitants of the same are fallen into great poverty and desolation: We, therefore, of our grace speciall, certain licence, and mere motion, for the consideration aforesaid, and for the better supportation and relief of the burgesses of the said borough, and the charges thereof, have given and granted, and for us, our heirs and successors, by these presents do give and grant to the said mayor, bayliffes and burgesses of the said borough of Bewmares aforesaid, and their successors, all that our borough aforesaid of Bewmares, with all and singular the rights, members and appurtenances of the same, in the said county of Anglesey, and all and singular messuages, burgages, houses, edifices, barns, stables, dove-houses, pools, orchards, gardens, lands, granges, farms, millnes, tofts, cottages, meadows, feedings, pastures, commons, waists, void ground, marshes, water, watercourses, lands covered with water, woods, underwoods, rents, reversions, services, courts, leets, view of frankpledge, and all that to the view of frankpledge doth belong, and assize and assay of bread, wine and ale, cattle waifed, estrays, fares, markets, tolls, ferries, free warren, fines, amerciaments, natives, knaves and villains with their sequells, wrecks of the sea, treasure found, perquisitts of courts, letts, passages, ferrages, and all other our rights, jurisdiction, liberties, privileges, commodities and hereditaments whatsoever, with their appurtenances, lying and being in the borough of Bewmares aforesaid, and in Llanvaes, in our said county of Anglesey; and now or late being parcell of the lands, tenements and hereditaments of our principality of North Wales; that is to say, all that our one hundred and fifty-four acres, and the third part of one burgage and one curtilage, with the appurtenances, in our said town of Bewmares, in our county of Anglesey; and also three hundred and thirty three acres and a half of land, every best acre arrented at sixpence by the year; and two hundred acres and a half of lands, every best acre arrented at four-pence by the year; and four hundred and twenty-four acres and a half of mountain lands, every best acre arrented at two-pence by the year; and also thirty acres and a half of pasture in the Hanging of the Hill, every acre arrented at one penny by the year; and also all that our burgage that was of Gronwap Jenny Welshman, and a certain parcel of land in the highway there, containing foot in length and ten foot in breadth; and another parcel of land late in the tenure of John Goodhew, lying in the fields of Brannar, called Tyddyn Goodhew, late in the tenure of Sir Rowland Vilasye, knight; and also another parcel of land in our soil there, sometime of John Overton, nigh his burgage against the Castle ditch, with the chamber edified thereupon; and also all and singular our lands, tenements and hereditaments in Bodennen, and our villains in the same town (if any be) with their officers; and also all that our passage of the water-ferry of Bewmares; together with the toll of markets and fares, perquisitts of courts, grand turns, leets and pipowders, with all the commodities and profits to the same belonging; and three hundred and sixty-three acres and a half of land in Bewmares aforesaid, now in the tenure of divers free burgesses of the same town, every acre arrented at sixpence by the year; and twenty-four acres of mountain land there, every acre arrented at two-pence by the year; and also two acres of land, which were Peter Sardens there, and twenty-four acres of mountain land, together with the rents assize of the same, every acre arrented at two-pence by the year; and also all our demeasn lands of Llanvaes, within the liberties of the said town, together with the encrease of rent of one acre and a half rod of meadow and underwood in Llanvaes aforesaid; and also all that our fish-yard of Limekiln, beneath Bewmares until Ferry Menwarth, with the appurtenances; and a certain parcel of land at the sea shore, extending from a place called Osmondsair towards Cerving-Gwythol unto the sea; and that our pasture, trees and wood, with the erbage of the same, called the King's Wood, otherwise called Coed Cadw, with the appurtenances; and a certain pasture upon the sea shore, between the said wear, called Limekiln, and the late house of friars of Llanvaes; and all that our fish yard, called Osmondsair, in the said town of Bewmares, and the liberties of the same, in our county of Anglesey; and also all and singular other lands, tenements, burgages, cottages, houses, edifices, meadows, feedings, pastures, woods, underwoods, dove-houses, commons, advantages,

advantages, lands, fishings, courts, leets, view of frankpledge, rents reserved upon any demeasn, and leases and all other rents, reversions, services, and other our hereditaments whatsoever, lying and being in the same town of Bewmares, and within the franchises and liberties of the same, of old time used in the said county of Anglesey, and being parcel of our principality of North Wales there; and which now extend in all to the clear yearly value of thirty-seven pounds ten shillings and five-pence by the year. We have also given and granted, and by these presents do give and grant to the said mayor, bayliffes and burgesses, in consideration aforesaid, all that our late chantry, called the Late Chantry of our Lady in Bewmares, and all and singular edifices, houses, curtilages, barns, gardens, appleyards, lands, tenements, meadows, feedings, pastures, woods, underwoods, commons, rents, reversions and services to the same late chantry belonging and appertaining, lying and being in the said town and franchesses of Bewmares, in our said county of Anglesey, now or late in the several tenures of William Bulkeley, esquire, Thomas Ireland, Edmund Bulkeley, David Norwyn, Rowland Thickness, William Ardem, William Bulkeley, George Sparrow, Roger Furber, Ellin Johnson, Sir Richard Bulkeley, knight, Rowland Thickness and Richard Johnson. Also we give, and for us, our heirs and successors, by these presents do grant to the said mayor, bayliffes and burgesses of the said borough and their successors, all and all manner of wood and underwood and trees whatsoever, growing and being in and upon the premises, and all the land, ground and soil of the same woods, underwoods and trees, and the reversion or reversions whatsoever of all and singular the premises and of any parcel thereof; and also the rents, reversions and yearly profits whatsoever reserved upon any demise, grants and leases of the premises, or any parcel thereof, in anywise made. We do also give, and for us, our heirs and successors, by these presents do grant to the said mayor, bayliffes and burgesses of the said borough and their successors, all the said borough, messuages, burgages, lands, and all and singular other the premises above expressed and specified, with the appurtenances, as fully, freely and wholly, and in as ample manner and form as we or any of our progenitors in right of the said principality of North Wales, or the last master, governour or keeper of the late chantry, or any of his predecessors, or any other before his time, having, possessing or being seised of and in the premises, or any parcel thereof, or the same or any parcel thereof, ever had, held or enjoyed, or ought to have, hold or enjoy, and as fully, freely and wholly, and in as ample manner and form as all and singular the said manors, lands, tenements and other the premises, with the appurtenances, come or ought to come to our hands, or to the hands of our most dear father, Henry the Eighth, late King of England, or to the hands of our most dear brother, the late King Edward the Sixth, by reason or precept of the dissolution of the said late chantry, or by reason of any Act of Parliament, or by any other mean, right or title, and now are or ought to be in our hands. Which borough, messuages, burgages, lands and all and singular other the premises before expressed and specified, with all their appurtenances, are now estimated to the clear yearly value of thirty-seven pounds two shillings and five-pence, and the said chantry to the clear yearly value of five pounds ten shillings and four-pence. Except always, nevertheless, and reserved to us, our heirs and successors, as well all that our castle of our town of Bewmares aforesaid, with the house commonly called the Shire Hall, and all the towers, curtilages, plains, gardens, and other commodities and profitts within the compass, circuit and precinct of the same our castle, and the mote of the same castle and shire hall being and appertaining, and the scite of the late house of friars of Bewmares aforesaid, otherwise called Llanvaes, within the Bishoprick of Bangor, dissolved, and all and singular houses, outhouses, edifices, barns, stables, dove-houses, appleyards, gardens, lands, tenements, ground, soil and other hereditaments whatsoever, to the same late house of friars in anywise belonging or appertaining, or being as part, member or parcel of the same house of friars; as also the reversion or reversions of all those divers messuages, lands, meadows and feedings which were of William Cramwell and John Righley, sometime arrented at eight pounds ten shillings and four-pence by the year, the which our grandfather of worthy memory, Henry the Seventh, late King of England, by his letters patent gave and granted to the late Earl of Derby and to his heirs male: To have, hold and enjoy all and singular the said borough, messuages, curtilages, barns, stables, cottages, edifices, houses, dove-houses, lands, tenements, meadows, feedings, pastures, passages, fishing, rents, reversions and services, courts leet, view of frankpledge, cattle waifed, estrays, and all and singular other the premises above expressed and specified, with all their appurtenances (except as before excepted) to the mayor, bayliffes and burgesses of the said borough of Bewmares, and their successors for ever, to the proper use and behoof of the same mayor, bayliffes and burgesses, and of their successors for ever: To be holding of us and our heirs and successors in fee-farm by fealty only for ever; and yielding thereof yearly to us, our heirs and and successors, of and of all and singular the said borough, messuages, burgages, lands and other the premises above specified and declared, forty-two pounds twelve shillings and nine-pence by the year; that is, to witt, for the said borough, messuages and other the premises, being part of our principality of North Wales, thirty-seven pounds two shillings and five-pence, and for the chantry with the appurtenances, five pounds ten shillings and four-pence of lawful money of England, to be yearly paid at the exchequer of us, our heirs and successors of Carnarvon, at the feast of St. Michael and Easter, by equal portions, for all rents, services, executions and demands for the same, to us, our heirs and suceessors, or in anywise to be yielded, paid or done."

Present possessions.

47. Out of this ample grant, comprising (beside much property of undefined quantity) lands of *specified* extent to the amount of above 1,556 acres, a large proportion of which was clearly yielding a considerable rent even in the reign of Elizabeth, the only remnant, at the present day, consists of the town field (St. Mary's), containing about 18 acres and a few small portions of waste in and about the town.

Not a vestige is pointed out of any thing done to the walls and sea defences of the town; no trace of any pier, mole, or even jetty, in a site not less favoured by nature than by the Royal bounty.

The only account that could be obtained, respecting these extensive possessions, from the officers of the corporation was, that in their time the manorial rights have produced nothing; that no courts are held by them for the lordship; that the only 18 acres of inclosed ground remaining to them are let at 29*l.* a year, in leys, (stinted pasture) to various individuals, and never produced more than 45*l.* yearly; and that the small remaining portions of the waste to which they claim to be entitled, have only been made to produce any return whatsoever to the corporation, by an outlay in building to the extent of nearly 5,000*l.*, which has saddled them with a debt to nearly the same amount.

BEAUMARIS.

No other inference can arise from these facts, than that this self-elected and irresponsible body has, at some period within two centuries and a half from the date of their governing charter, alienated or appropriated large possessions, by a breach of trust so flagrant, that it is hard to find language by which it could be too severely stigmatized.

Income.

48. The income of the corporation for last year stood as follows:

	£.	s.	d.
St. Mary's, or Town Field, produced	29	–	–
Rent of houses and ground rents	429	12	10½
Rent of grounds on the sea shore let for oyster beds	6	2	–
Rent of butchers' stalls in shambles	11	6	–
Tolls leased for	80	–	–
Total income £.	556	–	10½

which may be taken as a fair average.

The houses built upon the green alone have been erected at an expense of 4,475 *l.*; and the rents of these form a very large proportion of the entire revenue of the corporation.

They are, however, handsomely and substantially erected, according to a certain plan and specification, and are let by tender to tenants at will.

All the ground in the town belonging to the corporation that conveniently could be built upon, is already so occupied.

Debt.

49. The entire debt of the corporation is 4,200 *l.*, all of which bears interest at 4½ per cent., except 50 *l.* (from Mrs. Gold's charity) at 5 per cent.

The annual charge of the debt, therefore, is 189 *l.* 5*s.*; this debt has been principally incurred, as already stated, in building the houses on the green. Victoria Terrace consists of houses built upon ground leased by the corporation for a term of 80 years from May 1831, upon building leases to different tenants.

Expenditure.

50. The total expenditure of the corporation last year amounted to 699 *l.* 1*s.* 6*d.*

A considerable expense, however, was incurred in the reparation of cottages forming part of the corporate property, and cannot be classed as a permanent charge; and there was a balance in hand last year of 192 *l.* 16 *s.* 10 *d.*, the year before of 226 *l.* 16 *s.* 11½ *d.*

In the current year, also, a serious item will come under the head of contingent expenditure. A terrible storm of wind overthrew the cupola and chimney of the town hall, which is now under repair. The costs of reparation of the building and furniture are estimated at 350 *l.*

Salaries of Organist, &c.

51. A salary of 21 *l.* a year is paid to the organist of the parish church, and of 5 *l.* 5*s.* to the singers, gratuitously, by the corporation; they have nothing to do with the patronage of the church.

The other items of expenditure on the last year's account appeared to be not out of the ordinary course.

Anchorage and other dues.

52. The Anchorage and other customs reserved to the corporation by charter are under lease by them, as already stated, at an annual rent of 80 *l.*

Anchorage is taken from all vessels moored between the Swelly Rocks (Menai Bridge) and Priestholm Island.

Perchage is payable from all vessels entering within the same part of the strait, in respect of a beacon placed upon the Perch rock, a dangerous obstacle to the channel. This beacon, or "Perch," is formed of oak, supported by a chain stay, and surmounted with a barrel; and the upholding of it is a matter of serious expense to the corporation. This, with the repairs of buoys, five in number, in one year cost them 53 *l.*

In another year the Perch alone caused an expense of 60 *l.*

The town customs are payable only upon the landing of the goods upon which the respective charges are made.

The lessee of the anchorage and other tolls is obliged to keep a boat with two men to board all vessels coming to anchor within the limits.

A regular table is kept of all these dues, a copy of which accompanies my Report.

Table of Dues.

It was drawn up in pursuance of a resolution, passed "at the anniversary meeting of the corporation of Beaumaris, held at the Guildhall of the said borough of Beaumaris, on Monday the 2d October 1815," to the following effect:

"It was Resolved and Ordered,

"That the table of rates, dues and customs upon vessels navigating the channel and anchoring within the limits of the franchises of the borough of Beaumaris, and upon goods, wares and merchandize imported into this town and borough, as established by the mayor, bailiffs and capital burgesses of the town and borough on the 2d day of October 1676, and revised, altered and amended by the mayor, bailiffs and capital burgesses thereof on the 1st day of August 1785, be further amended, and that the several goods, wares and merchandizes mentioned and set forth in the table or schedule hereunder written, or such of them as shall hereafter be landed in the said borough and town, or the liberties of the same, shall be subject and liable to the rates and duties therein specified and levied accordingly."

The table is appended, specifying the several sums to be taken for anchorage, perchage and town customs and dues respectively, under all circumstances.

Market Tolls.

53. The Market Tolls are collected by the serjeants-at-mace, at the rate of 2*d.* per stand from all strangers, not being inhabitants of the borough, without reference to the nature of the goods exposed to sale.

Upon cattle and live stock nothing is charged.

54. The

BEAUMARIS.

54. The Accounts are kept by the treasurer, and rendered to the bailiffs. Accounts, publication of.

They are submitted, on the account day, which is generally fixed in the third week in November, to the chief burgesses; the vouchers are produced, and the allocatur of the mayor, bailiffs and head burgesses affixed to the accounts.

The possibility of any application to inspect them, being made on the part of the common burgesses, does not seem to have entered into the contemplation of the corporate officers. It was admitted that, if made, it would not be conceded.

55. The corporation possess no Patronage, ecclesiastical or other, except a share in the appointment to the mastership and other offices in the free grammar school of Beaumaris. Patronage. Free Grammar School.

This was endowed by David Hughes, of Wood Rising, in the county of Norfolk, a native of Llantrissaint in Anglesey.

The Bishop of Bangor and mayor of Beaumaris for the time being, with several others, are feoffees in trust under the will of the donor; and six at least must act in the appointments, the bishop having the casting vote.

The master, who must be of the degree of M. A. and a clergyman of the established church, has a salary of 100*l.* a year and a house. The second master 75*l.* a year and a house. The writing master 21*l.* a year. The funds arise out of estates in Anglesey, not within the limits of the borough.

The mayor for the time being has a voice in all these appointments.

56. An Act of Parliament, 9 Geo. IV., intituled, "An Act for making and maintaining a Road from the town of Beaumaris, to join the London and Holyhead post road at or near the Menai Bridge, all in the county of Anglesey," is the only local Act concerning the borough. Acts of Parliament.

This road runs for about a mile through the liberties of the borough.

57. Beaumaris is the principal port in the Menai Strait, and still holds an important station with reference to the several places of shipment comprehended within it for custom-house purposes; these are Conway, Amlwch, Holyhead, Pwllhely, Barmouth, Caernarvon and Bangor. But the traffic of Liverpool has absorbed all their foreign commerce. General state. Commerce of Port of Beaumaris.

A return of their entries and clearances exhibits a gradual increase recently in their coasting trade. It accompanies this Report.

Population.

The Population of Beaumaris was,—

In 1810		1,576
1811		1,810
1821		2,205
1831,	Males 1,140 / Females 1,357	2,497

Their occupations were,—

Families employed in agriculture	27
„ „ in trades, manufactures, &c.	210
Not comprised	311

Real Property.

The annual value of the Real Property within the borough was estimated in 1815 at 2,077*l.*

Assessed Taxes.

The Assessed Taxes were,—

In 1829	£. 660 15 7
1830	678 19 3
1831	679 17 9

Houses.

The number of Houses in 1830 was,—

Of £. 10 and under £. 20 rent	48
20 „ 40 „	27
40 and upwards „	2

The new houses recently built, as mentioned in s. 48, must have effected a great change since this return was made.

58. There still is a private Ferry over sands from Beaumaris. The ancient ferry of the corporation, called Point Ferry, upon which a regular passage boat used to be maintained, was found not to pay, after the opening of the Menai Bridge, and was abandoned about four years ago. Ferry.

59. The facility of communication afforded by that great work is rapidly giving to Beaumaris its just station, as a singularly delightful place of resort for sea-bathing. Baths.

60. Abundance of employment at good wages is said to be found for labourers in this neighbourhood; the oyster fisheries, conducted here upon a great scale, contribute to the means of livelihood of the labouring classes; and the general condition of the poor is represented as good. Labouring Classes.

61. The Poor-rates, notwithstanding, appear to be of serious amount. Two rates, the one of 3*s.*, the other 4*s.* in the pound, were levied last year, upon an assessment taken on about two-thirds the rack-rent of houses, and one-half of land. The proportion borne by the land within the borough is trifling. Poor-rates.

On a former occasion, the rate had amounted to 8*s.* within the space of a year.

The total sum actually levied by the rate last year was 893*l.* 6*s.* 9*d.*

BEAUMARIS.

In which are included the following items:—

Applied to relief of poor - - - - - - - -	£.	679	13 –
Borough rates (three of 4*d.* in the pound) for Beaumaris -		82	7 4
Church rate - - - - - - - - - - -		78	16 4

The parochial assessment for the year ending 25th March 1825 was 653*l.* 13*s.*, that of 1829 was 692*l.* 4*s.*

Church.

62. The living is a rectory, of which Sir Richard Bulkeley, bart., of Baron Hill, is the patron.

The rector is the Rev. Richard Howard, D.D., who is rector of Denbigh also. The rectorial tithes of Llandegvan-cum-Beaumaris belong to the incumbent, though for other purposes those places are separate. The glebe house is in Beaumaris, and is let by the rector, who occupies a larger for the convenience of his family.

There are two churches in Llandegvan and Beaumaris, and of course a curate is kept to assist in the duty.

Service is performed thrice on Sundays at the town church; the middle service in English, the other two in Welsh.

At the country (Llandegvan) church, service once only, and in Welsh. It is not within the limits of the borough.

All ecclesiastical services are performed at both churches.

Schools.

63. Beside the Free Grammar School already noticed, there is a national school for boys and another for girls, with about 120 scholars at each. It is supported by subscription, and always full.

A school-house is also in the course of being erected at Llandegvan, out of a subscription of 50*l.* given by H. R. H. the Duchess of Kent, aided by the interest of 1,000*l.* left by the Bishop of Bangor.

At present there are 40 or 50 children educated there, the master receiving 15*l.* a year out of the above fund, till the school is increased.

The master and mistress of the national schools receive each a salary of 50*l.* a year, by annual contribution.

Dissenting Meetings.

64. There are four Meetings of Dissenters within the borough: Calvinistic Methodists, Independents, Baptists and Weslevans; all well attended, but particularly the first. The duty is occasionally performed there in English, but regularly in Welsh.

The congregations generally attend the Established Church also, except the Baptists.

They have schools connected with their chapels.

Language.

65. The English language is now taught at all the schools, the rector having strongly and successfully urged the necessity, in order to enable those educated there to compete, at Liverpool and elsewhere, with their English neighbours.

Beer shops.

66. Eight Beer-shops have been opened in Beaumaris, which receive no better character there than elsewhere.

The distinction is said to be, that persons keeping public-houses felt they had a kind of character to maintain—a point waived by the beer vendors.

Increased drunkenness and immorality are represented to have been the result.

Durham, 1st May 1834. *Geo. H. Wilkinson.*

The following documents are sent with this Report:—

A. Translation of Governing Charter, 22d July, 4 Elizabeth.
B. Road Act, 9 Geo. IV.
C. Register of Voters for County of Anglesey.
D. ———————— for Borough of Beaumaris and contributories.
E. List of Chief Burgesses of Beaumaris.
F. Table of Port Dues and Customs.
G. Freedom Money paid at different times.
H. Statement respecting Hughes Price, (*nil.*)
I. Account of Entries and Clearances at Custom-house, years ending 5th January 1832, and 5th January 1833.
K. Custom-house Returns of Rates levied by the Corporation within the limits of the Port.

REPORT

ON

THE BOROUGH OF BISHOP'S CASTLE,

(SALOP.)

CONTENTS.

	Page
NAME	2595
Origin of Privileges	2595
Protest	2595
Local Limits	2595
Charters	2595
Officers:	
Bailiffs, Election of	2596
Functions and Salary	2596
Justice	2596
Recorder	2597
Town Clerk	2597
Deputy	2597
Chamberlain	2597
Serjeants at Mace	2597
Constables	2597
Capital Burgesses	2597
Bye-laws	2598
Freedom	2598
Privileges of Freemen	2598
Ruling Body	2598
Fines on Admission	2598
Courts:	
Sessions	2598
Leet	2598
Civil Court of Record	2599
Juries	2599
Local Police	2599
Gaol	2599
Fines	2599
Property:	
Management	2599
Lands and Town Hall	2600
Disbursements	2600
Patronage:	
Free School	2600
General State:	
Labourers' Wages	2600
Poor and Rates	2600
Church and Schools	2600
Dissenting Congregations	2601
Public-houses and Beer-shops	2601
List of Documents	2601

BOROUGH OF BISHOP'S CASTLE.

Name.

1. THE origin and the name of this ancient borough are plainly indicated by Leland (v. 10.): "The Bishop of Hereford hath a castle of good strength in the marches towards Shrewsbury, here called Bishop's Castel, and thereto lieth a town called Bishop's Town, wher is wekely a good market." And Camden adds, "The county (of Salop) south of the Severn is in the diocese of Hereford, whose bishops had a castle at Bishop's Castle, the site of which is now the Castle Inn, and the keep a bowling-green, and part of the walls and vaults remaining; a mile from hence towards the borders of Montgomeryshire, on a high hill, is Bishop's Mote, an entrenchment of near an acre, with a keep at the west end; this is supposed a remain of the Roman wars, but more probably of much later date."

Origin of Privileges.

The origin of the privileges of the town, and the reluctance of those who had given it the name, to part with the dominion over the place, may be gathered from the following recital of the charter of Elizabeth:

"Whereas the inhabitants of our town or borough of Bishop's Castle, in our county of Salop, from time whereof the memory of man goes not to the contrary, have had and enjoyed within the said town or borough, and elsewhere within this our kingdom of England, divers franchises, liberties, free customs, privileges, exemptions, discharges and freedoms, by reason and on the ground of different charters, grants and confirmations by our ancestors, Kings of England, to the Bishops of Hereford, formerly and late lords of the said town or borough made, but which the inhabitants, from the time the said town or borough has devolved to us, have not had or enjoyed so fully, because the present bishop, from the time the said town or borough was taken from his said bishoprick into our own hands, has detained the charters of our ancestors by which the aforesaid liberties, privileges, jurisdictions and exemptions were granted by our said ancestors, and has refused to lodge them in places proper and convenient for the inhabitants of the said borough, to their great injury, by reason whereof the aforesaid town or borough has suffered great inconvenience, and particularly in its good order and government, &c."

Protest.

2. Some portion of a similar refractory spirit was shown by the corporate officers of the borough at the present day, who had instructed their legal adviser (though not in pursuance of any formal resolution of the corporation) to protest against His Majesty's commission of inquiry "as illegal and unconstitutional," and to denounce as most iniquitous" the Act of Parliament under which that borough had been deprived of the franchise of sending Members to Parliament.

However, when they had thus protested against the supposed infraction of their rights, there appeared no disposition, nor indeed any great occasion on their part to withhold from the Commissioners any information respecting the existing state of their borough.

Local Limits.

3. The Local Limits of the borough of Bishop's Castle are extensive, comprising a circuit of about 15 miles, and being from three to four miles in width in all directions.

Occasional perambulations have taken place; one in 1829, and another seven or eight years previously, attended by many old inhabitants and burgesses, and recorded in the books; and although no plan or survey, nor any written description of the boundaries is to be found among the muniments of the corporation, yet they are stated to be perfectly well known and defined, and no litigation nor any dispute of sufficient importance to deserve notice has occurred at any time respecting them.

The borough lies wholly within the parish of Bishop's Castle, which comprises five several townships.

Charters.

4. The Charters under which the borough is governed are, first, that of 16th July, 15 Eliz., the preamble to which has been already recited; and, secondly, a charter of 27th March, 15 James I., which recites that certain defects, doubts and inconveniences had been found and discovered in the former charters, &c.

The originals of these charters, both of which confer substantially the same privileges and form of government on the borough, are in the custody of the corporate officers.

A translation of a charter dated 15th September, 4 James II., headed "The twentieth part of patents, in the fourth year of the reign of King James the Second," was produced by a gentleman who succeeded to the business of the late deputy town clerk, and found this document amongst his papers. As he had exercised the office about 20 years, and he was the proper depositary of the muniments of the corporation, there seems to be no good reason to doubt the authenticity of the instrument in question, although the corporate officers of the present day were not apprized of its existence, and no clue could be obtained to the original. The point is of the less importance, inasmuch as this charter does not appear to vary the provisions of the antecedent ones, in any material particular. It recites that the liberties

BISHOP'S CASTLE.

enjoyed by prescription, or granted or confirmed by the former charter, had been forfeited and lost, by reason of certain defects and abuses of the late bailiff and burgesses; that the borough was in the hands of the Crown, by virtue of a judgment upon *quo warranto*; and that the burgesses and inhabitants had besought the King to reinstate them in their liberties and privileges.

Title.

5. The charter of Elizabeth, which is tested at Gorhamburye, incorporates the borough of Bishop's Castle "per nomen Ballivi et Burgensium Burgi de Busshoppes Castell in comitatu nostro Salop."

The charters of both James's preserve the same title.

The seal bears the inscription 'J. R. 1609."

Officers.

6. The Officers of the corporation are—

Bailiff	1
Justice	1
Recorder	1
Town Clerk	1
Chamberlain	1
Serjeants-at-Mace	2
Constables	4
Capital Burgesses	15

(including the bailiff, justice and recorder.)

Bailiff, how elected.

7. The charter of Eliz. provides that "in future there may and shall be in the aforesaid Borough one Bailiff only, to be chosen and appointed from the burgesses and inhabitants of the borough aforesaid," and that the "capital burgesses of the borough aforesaid for the time being, or the greater part of them from time to time for ever, may and shall have power and authority yearly and every year, in the month of September, (that is to say) on the Monday next before the feast of St. Michael the Archangel, of choosing and appointing, and that they shall be competent and able to choose and appoint one of themselves, *there inhabiting*, or of the *resident* burgesses of the said borough or town there inhabiting, who shall be bailiff, &c.

The charter of James I. makes the same provision for the election of bailiff, except that he may be "one of themselves inhabiting the said borough, *or residing elsewhere*, or of the other burgesses of the said borough *wherever residing*," and in this it is followed by the charter of James II.

In point of practice, however, the bailiff has always been elected from among the capital burgesses, the justice and recorder frequently (though not necessarily) taking part in the election.

The entry of the election of the last bailiff, 23d September 1833, is signed by the bailiff, justice and eight other capital burgesses.

Bailiff, functions of.

8. The Bailiff is a justice of the peace by virtue of his office under the charters, as well as presiding magistrate at the court of quarter sessions and civil court of record.

He presides at the elections of corporate officers, and at all meetings of their body, and holds petty sessions whenever occasion may require, the county justices not interfering.

He is also clerk of the market and coroner within the borough under the charters, with a non-intromittant clause to other officers; the charter of Elizabeth provides, however, that "in our presence, or of our heirs and successors, we will that the clerk of the market of our own palace shall within the said borough have like jurisdiction with the aforesaid bailiff in whatever may belong to the office of clerk of the market, saving to the aforesaid bailiff and burgesses all fines, amerciaments and issues to the use and benefit of the said borough.

Bailiff, Salary of.

For these duties the bailiff receives a salary of 40*s.* during his year of office. His fees as coroner are merely those allowed by statute, and paid out of the county rate, and he has no fees as clerk of the market.

Justice, Office of.

9. The office and functions of the Justice arise out of the provision of the charter of James I., by which it is ordained that every future bailiff of the said borough for the time being, as soon and as long as he shall have and exercise the said office of bailiff; and every recorder of the said borough for the time being, and every person who shall in future serve the office of bailiff for one year next immediately succeeding his going out of the said office, shall be justices to keep the peace within the said borough, with the full powers appertaining to that office. "Provided always, however, that they do not concern themselves in the trial of any treason, felony or other offence involving the loss of life or member within the said borough, its liberties or precincts, without special license from us, our heirs and successors. Provided also, that none of our justices of the peace of our county of Salop shall in anywise intermeddle or act in any manner, way or thing as justices within the said borough, its liberties and precincts."

The office of justice is (more accurately) defined in the charter of James II. in the following terms: "Every predecessor of the bailiff of the borough aforesaid for the time being, for ever hereafter, who shall have exercised the office of bailiff of the same borough, after he shall have departed from the same office for one whole year from thence next ensuing, from henceforth for ever, may and shall be justices, &c.

The justice has no salary or emoluments.

The

BISHOP'S CASTLE.

Recorder.

10. The charter of Eliz. provides that the "bailiff and capital burgesses of the aforesaid borough for the time being, or the major part of them, shall have power and authority from time to time to choose, appoint and elect one fit and discreet man as recorder, &c.," to hold "the said office during the will and pleasure of the bailiff and capital burgesses, &c."

The subsequent charters ordain that the recorder, town clerk, capital burgesses, serjeants, constables and other inferior officers shall be chosen as theretofore.

But, in practice, it has been usual here to consider it an annual office, and for the same individual to serve in rotation the offices of bailiff, justice and recorder. The charter of James II. contains a proviso "that no recorder or common clerk of the borough aforesaid hereafter to be elected or preferred shall be admitted to the execution of his office respectively, unless the approbation and consent of us, our heirs and successors, under the seal and sign manual of us, our heirs and successors in that behalf, shall be first signified."

As the existence of the charter of James II. was not a matter of notoriety in the borough, it was not to be expected that this provision of it should have been complied with, nor has it.

Recorder, functions of.

11. As one of the three borough justices, the recorder sits at quarter sessions, and in the court of record, and performs all the ordinary duties of a justice of peace; he also has a salary of 40 *s.* paid during his year of office.

Town Clerk.

12. The charter of Elizabeth provides that "the bailiff and capital burgesses of the aforesaid borough for the time being, or the major part of them, shall and may from time to time for ever, yearly and every year, on the aforesaid Monday next before the feast of St. Michael the Archangel, choose and elect one fit and honest man who shall be the common clerk of the borough aforesaid." The subsequent charters make no variation in the mode of election of this officer.

The duties of the office are entirely performed by deputy; and the town clerk himself has no salary or emoluments.

Deputy Town Clerk.

13. The Deputy is appointed by parol by the town clerk, without even any oath of office, or entry of his appointment.

His duties are to act as clerk to the borough justices in the court of record at quarter sessions, and elsewhere, and to attend the bailiff upon inquisitions held by him as coroner.

Emoluments.

14. He receives the usual fees as clerk to the magistrates on those occasions, and the fees on admissions hereafter noticed. The corporation has the merit (whether from its poverty or its will) of having never been involved in any litigation; and of course nothing has gone to the deputy town clerk on that score.

Chamberlain.

15. The Chamberlain is appointed annually on the charter day by the bailiff; but the present officer, Mr. Charles Rhodes, schoolmaster, has held the office for 26 years. His duty is to collect the chief rents due to the corporation, to keep their accounts, and render them annually to the bailiff and capital burgesses.

In consideration of these services, he receives an annual stipend of 40 *s.* out of the funds of the corporation.

Serjeants-at-Mace.

16. The charter of Elizabeth ordains that, "in order to preserve and augment the splendour and authority of our aforesaid borough, we will, and by these presents ordain, as also for us, our heirs and successors, grant to the aforesaid bailiffs and burgesses of the aforesaid borough, and their successors, that for ever hereafter there may and shall be in the borough aforesaid two officers, who shall be and shall be called Serjeants-at-Mace, for the execution of process and mandates, and other business in the said borough from time to time; which two serjeants-at-mace and each of them shall be attendant from time to time on the bailiff of the said borough for the time being; and the said two serjeants-at-mace shall ever hereafter be chosen from the burgesses inhabiting the said borough by the bailiff and capital burgesses of the said borough for the time being, or the greater part of them, &c." yearly, on the charter day; and they are to carry two silver maces, engraved and ordained with the arms of England, before the bailiff. Besides the duties defined in the charter, the serjeants-at-mace execute those of constables; for which, and on the service of process, they receive the usual fees. They have no other emoluments whatever.

Constables.

17. The Constables are appointed by the bailiffs annually on the charter day. The same individuals are usually re-appointed, unless removed for misconduct. They also are wholly paid by fees.

Capital Burgesses.

18. The charter of Elizabeth provides, "That in future for ever there may and shall be in the aforesaid borough, fifteen men of the better and more upright burgesses of the said borough, who shall be and shall be called and named Capital Burgesses of the same borough, and which fifteen capital burgesses may and shall be from time to time assisting and helping to the aforesaid bailiff for the time being in all causes and matters concerning the said borough;" and upon the occurrence of any vacancy, by death or removal, power is given to "the other capital burgesses of the said borough then remaining, or the major part of them, one other or more of the burgesses and inhabitants of the said borough, into the place or places, so vacant by death or removal, to elect and choose," &c.

The elections have taken place, in practice, conformably to the charters; except as to inhabitancy; nine of the present capital burgesses are non-resident. Vacancies are not ordinarily filled up till the charter day; but instances have occurred of a special court being convened for the purpose.

A power of removal, at the will of the majority, is expressly given by the charter.

BISHOP'S CASTLE.

Functions. Bye-laws.

19. After providing that the bailiffs and burgesses may have and appoint some house for consulting within the said borough, and may hold within the said house a court or meeting, &c., the charter of Eliz. ordains that the bailiff and capital burgesses for the time being, or the greater part of them, in the aforesaid court or meeting assembled, shall have full power to make such laws, institutions, rights, ordinances and customs which to them, or the greater part of them, shall seem good, wholesome, &c.

They also partake in the appointment of some of the corporate officers. They have no emoluments whatever.

Freedom.

20. The only mode of acquiring the Freedom of this borough is by birth.

All sons of freemen, born after their father has been admitted and sworn in, are entitled to their freedom; several instances have occurred of objections being taken and allowed on the score of the father having never been duly admitted and sworn.

Privileges of Freemen.

21. The charter of Eliz. grants to the bailiff and burgesses, and their successors, that they "for ever shall be free and discharged through our whole territory and kingdom, as well in England and Wales as elsewhere, from all tolls, ferries and duties for repairing walls, courts leet, hundred and shire, courts within towns and without, and also from all pleas and complaints which belong to the court leet and hundred court, and from all street duties, last customs, pontages, stallages, escuage and hidage, wheresoever they may go, through our whole territory or kingdom, saving the franchises of our city of London."

The exemption, however, in practice appears only to have been claimed within the limits of the borough; and even there a corn toll, the private property of Earl Powis (the lord of the manor), is paid by the burgesses.

The burgesses enjoy also under their charters, an exemption from serving on juries without the borough, the sheriff in no instance intromitting. Within the borough also the burgesses serve exclusively on the grand juries; the other inhabitants serve exclusively on the petty juries.

Emoluments of Freemen.

22. The burgesses have a right of common on a pasture containing from 90 to 100 acres, called the Moat Hill or Burgesses Hill. It is a right of common without stint, but being merely adapted for a sheep-walk, it is represented to be of inconsiderable value, as at present managed.

Numbers.

23. The number of resident common burgesses is from 180 to 200, and the non-residents are calculated at about the same. The passing of the Reform Act has been a bar to farther admissions. The last entry of any admission was on the 1st October 1831, when the Rev. George Arthur Clive, sixth son of William Clive, of Styche, Salop, esq. appears to have been admitted to the freedom of the borough. The present Earl of Powis is Lord Lieutenant of the county; and the influence of his lordship's family has preponderated in this borough.

Ruling Body.

24. The Ruling Body, who are here the capital burgesses, are elected strictly by themselves.

Fees on Admission.

25. The following Fees are paid on admission to freedom:

	£.	s.	d.
To the bailiff (a bottle, or)	–	3	6
To the town clerk	–	4	10
same, for certificate	–	1	–
Stamp	1	–	6
	£. 1	9	10

A gratuitous bottle (which seems to be the common measure of fees here) is also paid to the serjeants-at-mace; generally, 5 *s.* is the sum given.

No fees are paid on admission to any office.

Courts. Sessions.

26. The court of criminal jurisdiction is that of Quarter Sessions; at which two of the three borough justices attend regularly. The authority of the borough justices for this purpose is conferred by the charters of James I. and James II. The exception of cases involving loss of life or member, in the former charter, has been already noticed (s. 9.); the charter of James II. does not contain that exception; but it gives a power of commitment to the county gaol for "treason, murder, felony, manslaughter or robbery done or to be done, or for suspicion of felony," there to remain to be tried before the justices of oyer and terminer or gaol delivery.

The business of the quarter sessions here is very trifling. It is 16 years since any felony has been tried there; nor has there been any misdemeanor tried for some years. The ordinary process is observed, and the fees are the same as those taken at Shrewsbury.

Court Leet.

27. The Court Leet held within the borough is one of the Earl of Powis, held in right of his lordship of Bishop's Castle, Sadley and Astwood. But nuisances and other offences committed within the precincts of the borough are considered not to be presentable at this court; the burgesses conceiving themselves to be lords of the borough, under the provisions of their charters.

28. The

BISHOP'S CASTLE.

28. The Charter of Eliz. provides that the bailiff and burgesses "may have and hold within the said borough a Court of Record on every Saturday in each fortnight throughout the year, before the bailiff and capital burgesses of the said borough, or any three of them, for the time being, and that in that court they may be enabled by plaint levied," to hold plea of all manner of actions, suits and demands concerning any trespasses by force and arms, or otherwise, &c.; and concerning all manner of debts, accounts, &c. "so that the said trespasses, debts, accounts, or other matter or contract, do not exceed the sum of 10 *l.*; and that such plea, plaints, suits and actions are there heard and determined before the bailiffs and capital burgesses, &c. or before three of them, of whom we will that the bailiff for the time being shall be one," by the like process as is used and accustomed "in any court of record in any city, town or borough incorporated within our kingdom of England." Civil Court of Record.

The charters of the two James's extend the jurisdiction of this court to cases in which the sum in dispute does not exceed 20 *l.*; leaving it in other respects unaltered in any material particular, except that the quorum clause is also extended to the justice ("last predecessor of the bailiff for the time being.") In practice generally the bailiff and recorder attend.

Any attorney is admitted, as of course, to practise here, without payment of any fee. But there are only three in fact practising.

The business is very limited; the process must be served, as well as the cause of action have arisen, within the borough. The average number of causes entered during the last seven years was but six in each year; and of these very few proceeded to trial.

The last cause tried was an action of slander, about 5 years since. There was a verdict for plaintiff for 20 *l.*; but the costs amounted to nearly 200 *l.*

The ordinary costs, however, upon judgment by default, amount only to 2 *l.* 15 *s.* 6 *d.*

The pleadings are in writing, and the same process to execution is in use as in the superior courts at Westminster.

29. The duty of selecting the Juries in both courts devolves upon the deputy town clerk, who takes them at his discretion from the class of respectable tradesmen inhabiting the town. Of these there are from 30 to 40 eligible to serve on petty juries; and he summons generally 18 or 20; occasionally 24. Non-burgesses only serve on the petty juries, as already noticed in s. 21. Upon the grand juries burgesses only serve, and these also are selected wholly by the deputy town clerk. Juries.

The coroner's jury is selected also by him from both classes, indifferently, of burgesses and inhabitants.

No difficulty is found practically in procuring the attendance of any jury.

30. The Local Police consists of the two serjeants-at-mace and three or four constables, who have been found sufficient for the preservation of the peace of the borough. They are under the control exclusively of the borough justices, who are represented to have exerted themselves particularly in suppressing riots and disturbances. Local Police.

There are six fairs; three by charter, at which, and on the occasion of contested elections, special constables have been formerly sworn in.

31. The charter of Eliz. grants to the bailiff and burgesses to "have within the borough aforesaid, or the liberties of the same, a Prison and Gaol for the custody of all persons attached or to be attached or arrested, &c., as well by our order and command as by the order and command of the bailiff, &c." In the subsequent charters the power to commit to the county gaol appears to stand instead of this privilege. Gaol.

There is, however, a dungeon, consisting of one cell, in which prisoners are occasionally confined for a night or two, till they can be brought before the borough justices. It is a damp, cold place under the town hall, built nearly a century ago.

For the confinement of debtors there is a room adjoining the town hall; instances have occurred, but rarely, of its being so used for short periods.

These places are under the superintendence of the borough justices.

32. The charter of Eliz. confers a power upon the bailiff and burgesses to impose fines and amerciaments upon such as may refuse or neglect to take upon themselves, after notice of their election, any of the corporate offices, except those of recorder and common clerk, and to commit them to the borough gaol until such fines or amerciaments are paid. Fines.

It does not, however, appear that this power has ever been exercised, nor that fines have been imposed in restraint of trade, or for any other cause whatsoever.

33. This corporation presents the rare example of a self-elected ruling body possessing some real estate (trifling undoubtedly), without having ever burthened itself with a debt. Property. Management.

Indeed frugality seems to have early characterized the management of their finances. In the "Accounts of John Griffiths, chamberlain, from Michaelmas 1787 to Michaelmas 1788, John Home, esq. bailiff," we find that while the amount of the annual receipts was

BISHOP'S CASTLE.

20*l.* 6*s.* 2*d.* (about the average revenue for many years), the disbursements were only 8*l.* 3*s.* 8*d.* Accordingly,

In 1789, there was carried to credit of the corporation - -	£.	12	2 6
In 1790 - - - - - - - - - - -		17	6 –
In 1791 - - - - - - - - - - -		15	5 11
In 1792 - - - - - - - - - - -		23	4 5
In 1793 - - - - - - - - - - -		26	10 5½
In 1794 - - - - - - - - - - -		22	15 11½
In 1795 - - - - - - - - - - -		26	8 –½

Management and inspection of Accounts.

The management is entirely vested in the chamberlain, who collects the rents and keeps the accounts, which are inspected by the borough justices in open court on a day appointed for the purpose.

The capital burgesses attend also to inspect the accounts, and the common burgesses may be present if they choose.

Accounts.

The accounts have been regularly and minutely kept from the year 1758 downwards.

Lands.

34. The common called the Moat, or Burgesses Hill, constitutes the principal landed property of the corporation.

If inclosed and properly managed it would produce from 60*l.* to 70*l.* per annum; but at present only nine or ten burgesses, who happen to have neighbouring enclosed lands, turn their sheep upon it; and as they turn on without stint, it is amply stocked by these alone.

The other lands of the corporation consist of small enclosures, let at very trifling annual rents. A doubt having arisen as to their power to augment those rents, the opinion of counsel was taken in 1802 or 1803, and that opinion being in favour of the right, augmentations were made in some few instances, but they remain mostly at mere nominal rents, being tenanted entirely by burgesses, who in most cases have erected cottages upon them, on the faith of standing at their ancient rents.

The annual produce of these enclosures is from 28*l.* to 29*l.*

Town Hall.

35. The Town Hall is the property of the corporation.

Disbursements.

36. The regular annual disbursements consist chiefly of the three salaries of 40*s.* each, payable to the bailiff, recorder and chamberlain. The incidental disbursements are mainly occasioned by the difficulty of keeping up the supply of water to the higher parts of the town. A conduit for this purpose, maintained at the expense of the corporation, passes under the town hall, and frequent charges are incurred in the repair of it. Thus in 1819, 20*l.* 16*s.* 11*d.* was expended, and in 1805, 29*l.* (a whole year's income) was inadequate to the charge.

Patronage. Free School.

37. The corporation possess no patronage whatever. There is a free school here for the town and parish of Bishop's Castle, endowed by a widow, Mrs. Wright; but the appointment of the master is in the Bishop of Hereford; the corporation are no way concerned with the patronage.

The master has a house, garden and school-house, with a salary of 40*l.* a year, and instructs in reading, writing and arithmetic 25 boys and the same number of girls, who are nominated by him to be free scholars.

Acts of Parliament.

38. There are no local Acts of Parliament relating to the borough of Bishop's Castle.

General state.

39. This is purely an agricultural district, nor is it likely that the town can ever become a place of manufacture.

The want of water, the scarcity and difficulty of obtaining which are severely felt even by the present population, would be an insuperable bar to the establishment of manufactories.

Wages.

40. The Wages of labourers in agriculture are from 18*d.* to 20*d.* a day, at which they may obtain employment without much difficulty.

Poor.

41. It is admitted on all hands that the poor are numerous; but there is great difference of opinion here as to the cause; for while, on the one hand, the effects of the Reform Act are deplored, for the injury it is supposed to have inflicted on the prosperity of the place; on the other, respectable witnesses ascribe the increase of pauperism in the borough to the demoralizing practices that ensued from its having returned Members to Parliament, and calculate on a diminution of the numbers of poor from the altered circumstances.

Rates.

42. Six Rates of 6*d.* each in the pound were collected last year, upon an assessment taken upon three-fourths of the rack-rent, both for lands and houses.

This was a trifling increase upon the rates of the preceding years.

There is a workhouse rented by the town, but only used for the infirm and children; so that there are only about 12 inmates, while many are relieved out of it.

Church.

43. The living is a vicarage, in the gift of the Earl of Powis, who takes the great tithes, as lay impropriator. The average annual value of the vicarage is somewhat under 350*l.*

The

BISHOP'S CASTLE.

The present vicar, the Rev. Isaac Frowd, has held the living upwards of 50 years, and being at a very advanced age and in an infirm state of health, has done no duty for the last six or seven years; he holds also the rectory of Shrawardine, a small parish, consisting only of one township, at a distance of 20 miles from Bishop's Castle, and of course keeps a curate there also.

His curate at Bishop's Castle, the Rev. John Daniel Lewis, M. A. of Oriel College, has no other preferment, and performs the duty regularly.

Schools.

44. It is a subject of complaint that there never has been any Sunday or National school here, nor any other school, except the free school above-mentioned, in connexion with the Established Church. This is represented as a great abuse in a population exceeding 2,000, and as having been the cause of an extraordinary increase of Dissenters. The necessity for the establishment of a Sunday school is admitted on all hands; though the free school is said, by the apologists for the neglect, to have superseded in some measure the necessity for a national school.

Dissenting Congregations.

45. The Dissenting Congregations have schools in connexion with their chapels.

The Primitive Methodists have a chapel and school for about 150 scholars.

And the Independents have also a well-frequented chapel, with a Sunday school.

The parish church, which will accommodate about 1,000 persons, is said to be well attended at the morning service; so that there would not seem to be any indisposition on the part of the inhabitants to receive instruction from those in connexion with the Established Church.

Public-houses and Beer-shops.

There are 11 licensed Public-houses, and six or seven Beer-shops, within the borough; the same opinion, as to the increase of drunkenness and immorality from the establishment of the latter, appears to prevail here as elsewhere. The principal frequenters of them were stated to be very young persons.

Durham, 12th May 1834. *Geo. H. Wilkinson.*

List of Documents.

The following Documents are sent with this Report:—

A. Translation of Charter 16 July, 15 Eliz.

B. ———— of Charter 27 March, 15 James I.

C. ———— of Charter 15 September, 4 James II.

D. Copy resignation of a capital burgess, Mr. Thomas Wollaston, 23 September 1833.

E. Plaintiff's bill of costs in Borough Court, and copy summons.

F. Letter Mr. John Watton.

Statistical returns.

REPORT

ON

THE BOROUGH OF CAERGWRLE,

(FLINTSHIRE.)

CONTENTS.

	Page
Preliminary Remarks	2605
Names, in Domesday Book and Welsh Tongue	2605
Ancient Jurisdiction	2605
Former Importance and present State	2605
Charters	2605
Manor	2606

BOROUGH OF CAERGWRLE.

Preliminary Remarks.

1. Caergwrle, though extinct as a municipal corporation, requires some notice as one of the boroughs entitled, in conjunction with Flint and its tributary towns, to return a Member to Parliament.

The Lordship, of which this borough forms a part, is called Hope or Queenhope, and is so described in Domesday Book. Even in Leland's time its already decayed condition is thus noticed: "Hope, alias Quene Hope, lordship, longing chiefly to the King, contains but one parish. The ground is hilly: in the vallies is metely good corn. Alan river cometh through it. The town of Hope, now decayed, was *sumtime burgesid and privilegid*, and is caullid in Walsch Cairgorlies. Ther stond yet grete waulles of a castle set on an hylle, wher be diggid good mille stones of a blew girthe."

There are now two distinct villages; that of Caergwrle, standing at the foot of the hill, on which are the mouldering remains of the ancient castle; and that of Hope, at a distance of nearly a mile, separated from Caergwrle by the little river Alyn.

Names.

2. The origin of these names is traced, in Pennant's Wales, ii. 48. 51, as follows:

"Mr. Edwards makes a happy conjecture respecting the etymology of the name of this place, Caer Gawr Lle, or the Camp of the Giant Legion, Lleon Gawr; for the Britons bestowed that title on the XXth Legion, to imply its power; a term analogous to 'victrix,' giving it the strength of a giant."

And he confirms the probability of the derivation, by narrating the discovery (in Camden's time, 1606) of a hypocaust, with polished tiles, perforated, on some of which were inscribed, "Legio XX;" and by other incidental evidences.

Of the manorial name he gives the following account: "Dafidd, brother to Llewelyn, last prince of Wales, held this castle from Edward I. Dafidd made great complaints of the injurious treatment he met with from Roger de Clifford, the justiciary of Chester, who cut down his woods about Hope, and endeavoured to dispossess him of his rights. When Dafidd took up arms in defence of his brother, he left a garrison in this castle; but in June 1282 it surrendered to the English monarch. As soon as it came into his possession, he bestowed it, with all its appurtenances, on his beloved consort Eleanor, from which it acquired the name of Queen Hope. The Queen lodged here on her way to Caernarvon, where her husband sent her to give the Welsh a ruler born among them."

Ancient Jurisdiction.

3. By the statute of Rhûddlan, the manor of Hope is placed under the jurisdiction of the sheriff of Flint:—"Vicecomes de Flynt, sub quo cantreda de Englefeud, Terra de Meylorseysnek, et *Terra de Hope*, et tota terra conjuncta castro nostro et ville de Rothelan, usque ad villam Cestrie, &c." Farther reference to which is made in the Report upon the borough of Rhûddlan.

Former Importance and present State.

4. Its ancient importance, as one of "the chain of forts that defended the country of the Ordevices," is thus noticed in Gough's Camden: "Caer Estyn and the opposite post in Caergwrle Rock defended that front. Caer Estyn is a British post on the opposite side of the vale above the village, the entrance through this passage into Wales." (vol. ii. 597.)

With the importance and power of its castle have disappeared all the ancient immunities of the inhabitants. Nor was it to be expected that in a place where, even in Leland's time, the privileges of the burgesses were matter of tradition merely, any vestiges of incorporation should be found at the present day.

There has not been, in the memory of the oldest inhabitant, any appointment of corporate officers, and the very existence of any charter and privileges of incorporation are mentioned in the place as mere matters of vague rumour.

Charters.

5. That such charters and privileges have, however, existed, is made abundantly clear by Pennant (quoting as his authority the Sebright MSS.), Wales, ii. 53.

"The first charter given to Hope was by Edward the Black Prince, dated from Chester, in the 25th year of the reign of his father, or 1351. He orders that the constable of the castle for the time being should be the mayor, who was, after taking the sacrament, to swear on the

CAERGWRLE.

Holy Evangelists that he would preserve the privileges of the burgesses, granted in the said charter; and that he should choose out of them annually, on Michaelmas day, two bailiffs. He adds also most of the other advantages granted in the charters of those times: all which were afterwards confirmed by Richard II."

Manor.

6. The Earl of Derby is lord of the manor of Hope, which is co-extensive with the same parish. The borough of Caergwrle (or Hope), which forms a member of that manor, comprehends the township of Caergwrle, and part of those of Rhan Berfedd and Estyn.

Respecting the manor, Pennant writes:—

"We find in the Doomsday Book, that Hope (which gives name to the parish) was held at that period by one Gislebert; before, by Edwevin, a freeman. In after times this tract was known by the name of Hopedale. On the division of Wales into counties by Edward I. it was annexed to Flintshire; but was severed from it and added to Denbighshire by Henry VIII.; and in the same reign restored to the former county. It is a common notion in the country, that the last was effected by the interest of the Earl of Derby, in order to have his Welsh estates in the same county; for at that time the family was possessed of Hawarden, Molesdale, and this manor; which had been granted on January 1st, 1401, by Henry IV. to Sir John Stanley. The family had, at the same time, the lordship of Maelor Saesnag, which was a portion of Flintshire since its first being formed into a county. This manor of Hope is the only one possessed at present in Wales by the Earl of Derby. I find that in 1388, Richard II. made a grant of Hope and Hopedale to John de Holland, Earl of Huntingdon, a most potent lord, who, after the deposition of his master, was beheaded by the populace at Plessy, in Essex." (Dugdale's Baron. ii. 78.)

Geo. H. Wilkinson.

Durham, 26 April 1834.

REPORT

ON

THE BOROUGH OF CAERWYS,

(FLINT.)

CONTENTS.

	Page
Local Limits	2609
By Charter	2609
Charters	2609
History, Eistedvodd	2609
Title	2609
Officers	2609
Bailiffs	2610
Recorder	2610
Crier	2610
Constables	2610
Ruling Body	2610
Fees	2610
Courts and Juries	2610
Gaols and Fines	2610
Property	2610
Inclosure Act	2610
Patronage	2611
Local Acts	2611
General State	2611
Church	2611
Dissenters	2611
Schools	2611
Magistracy	2611
Tolls	2611
Poor-rates	2611
Water	2611
Prospects	2612

BOROUGH OF CAERWYS.

Caerwys, named in its ancient charter Cayrus, is one of the old boroughs contributory to Flint, entitled, in conjunction therewith and with Ryddland, Caergwrle and Overton, to the franchise of returning Members to serve in Parliament.

Local Limits.

1. The boundaries of the borough of Caerwys are stated to have been perambulated, and to be well known and undisputed.

The parish of Caerwys, within which the borough is situated, extends beyond the limits of the borough on the north side.

The river Avon Wen forms the boundary in part; and it is defined by roads and other certain marks in the rest of its ambit.

By Charter.

2. A charter of Edward, the Black Prince, has minutely described the limits of this borough, as did the charter granted by the same prince to Flint, four years subsequently, with respect to the boundaries of that borough. The Black Prince's charter to Caerwys is inspected and set out in the charter of September, 9th Henry IV., a copy of which accompanies this report. A description of the boundaries is subjoined; "a viâ juxta Crucem vocat. Grosse Esyann, quæ ducit versus Marian Goyfen; et sic per lineam ad aquam de Goyfenas, viam apud ubi descendit in quendam rivulum qui vocatur Galghof;* et sic, sequendo illum rivulum, usque aquam de Willar;† et sic sequentes illam aquam, et bundas terrarum domini Reginaldi de Grey, dimittendo illas terras extra bundas usque prædictum crucem, ubi prædictæ bundæ n . . . . . it."

Charters.

3. The Charter of 1st September, 9 Hen. IV., wherein the Charters of 2 Ric. II., of the Black Prince above-mentioned, *temp.* Edw. III., and of the 18 Edward I. are inspected and set out, is the only charter of which any tradition remains at the present day. The original was sent to the Commissioners from the muniments of the Hon. Edward Lloyd Mostyn, lord of the manor of Caerwys, and as accurate a copy was made as its defaced state would permit. It grants to the burgesses all the liberties and free customs belonging to a free borough, such, to wit, as the free burgesses of Aberconway and Rothelan (Ryddland) have; specifying a guild mercatory, with a hanse. The liberties granted by those charters will be noticed in the Reports on those boroughs.

History.

4. Caerwys, seated on a wild and naked hill, ill supplied with water, and surrounded with bleak and barren land, was in very early times the general gathering-place of the Welsh minstrelsy in the Eistedvodd, and seems to have been more favoured by bards than by warriors or princes; it was, however, a Roman station, and is accounted a strong position. The charter of the Black Prince, having strictly defined the boundaries of the borough, declares that the prince is unwilling to abridge or lessen the dues and services of its inhabitants, for immediately after describing the limits, it proceeds:—"et quia nolumus abbreviare vel minuere in aliquo proficua nobis pertinentia de hominibus manentibus infra dictas metas et bundas, seu de tenentibus eorundum hominum, infrà easdem ext . . . . . de Cayrus, nec relevia vel dinera alia quæcumque de prædictis hominibus, et eorum tenentibus, nobis debita extinguere, vel in aliquo minuere, volumus quod Ballivi ejusdem libertatis, per præceptum nostrum, seu vicecomitis nostri de Fflynt, aut ragloti nostri de Englefield,‡ qui pro tempore fuerint, faciant executionem pro prædictis proficuis et dineris nostris prædictis infrà dictas metas et bundas, et de eisdem proficuis et dineris nobis, aut vicecomitibus et ragloti prædictis, integræ ad opus nostrum respondere teneantur." No other new provision is contained in the prince's charter. If any portion of the profits and monies derived from this source was applicable to the arduous duty of the defence of Wales, the caution of the prince was not imprudent. The borough has now become too poor even for the bards; the last Eisteddvod at Caerwys was in 1798.

Title.

5. No corporate title appears from any book or document that was produced, or is known by tradition among the burgesses; but according to the charter it would be "The Bailiffs and Burgesses of the Borough of Caerwys, in the county of Flint."

Officers.

6. The only Officers are:—

Bailiffs	2
Recorder	1
Crier	1
Constables	2

7. In

* Now 'Galchog.' † Now 'Wheeler.'

‡ The profits of the office of 'Escheator of Englefield were assessed in the 50th year of Edward III. as high as 56*l.*'—*Pennant's Wales*, i. 71.

Bailiffs, election of.

7. In the present state of this borough it is scarcely possible to obtain any definite account respecting its officers. The two bailiffs and the crier, with one of the constables, were examined, and they coincided in the statement that the Bailiffs are appointed annually by the crier, who nominates at his pleasure any two respectable inhabitants of the place.

Functions.

8. Their only functions are to examine the weights and measures within the borough, and to present nuisances to the court leet.

They have no salaries or emoluments: one bailiff is a butcher, the other a farmer.

Recorder, appointment of.

9. The Recorder is appointed by the lord of the manor of Caerwys. The original appointment of the present recorder, dated 19 September 1814, by Sir Thomas Mostyn, then lord of the manor, was produced under his hand, but without seal or stamp. The present appointment by the Honourable E. L. Mostyn, dated 15 December 1831, is under his hand and seal, but not stamped.

Functions.

10. The recorder attends annually to hold the court, at which the bailiffs and constables are appointed; but he receives no salary or emoluments whatsoever.

The present officer is Mr. John Oldfield, of the farm Bettws, near Abergelley.

He is also the recorder of Flint.

Crier.

11. The Crier is appointed by the lord of the manor. The only functions that appear to be exercised by him are, the nomination of the bailiffs, and making proclamations at the Cross, on the occasion of elections of Members to serve in Parliament; for which duty he receives a fee of one shilling.

The precept on these occasions, is sent to the bailiffs of Flint, who cause the same to be posted at the several contributory boroughs, without the intervention of the bailiffs of those boroughs. At Caerwys it is fastened on an old wych elm, which stands at the intersection of the roads in the centre of the town, and is called the Cross.

Constables.

12. The two Constables are appointed by the jury at the leet.

Freedom.

13. Here, as in Flint, to which this is a contributory borough in the election of Members to serve in Parliament, the franchise is exercised by all resident inhabitants, duly qualified in other respects, and paying scot and lot within the limits of the borough. The number of scot and lot voters is stated in the parliamentary return of 1833 to be 128.

The burgesses perform no other functions; and since the inclosure of the commons hereafter mentioned, they have enjoyed no other privileges, except an exemption from tolls at the markets and fairs within the borough.

Ruling Body.

14. Whatever traces of municipal government remain within this borough, appear to be exercised immediately by the crier; ultimately the lord of the manor, by whom the recorder and crier are appointed during pleasure, must be considered the ruling body.

Fees.

15. No Fees are paid by the burgesses or officers of the borough on admission.

Courts.

16. At the Court Leet nuisances are presented, and other matters incidental to such courts are transacted.

Juries.

17. The precept to summon the jurors for the court leet is sent to the crier, who inserts in the summons the names of such persons as he may think fit to serve. In default of attendance they are fined.

Local Police.

18. The two constables appointed at the leet are not found to be sufficient to preserve the peace during fair times; when as many as six special constables have been occasionally sworn in; but of late there has not been so great a tendency to disturb the peace among the inhabitants.

The constables have no salary, but receive the usual fees on service of warrants, and other acts done in discharge of their duty.

Gaols.

19. The only place of confinement for offenders within the borough is the Round-house, in which no one has been imprisoned for the last three years; and then it was only used as a place of temporary safe custody for a lunatic.

This lock-up house and a pinfold belong to the borough.

In former times the assizes were held here; a building now occupied as a barn was then the town hall, and a small hovel opposite to it furnished lodgings for the judges of that period. The county gaol of that day is now also a private dwelling-house, the property of Mr. Kenrick, of Mostyn.

Fines.

20. No Fines are imposed on the burgesses except those at the court leet, for using false weights and measures and for nuisances.

Property.

21. The only Property now left to the burgesses of Caerwys, consists of the round-house and pinfold before mentioned; if indeed those be not claimed as the property of the lord of the manor.

Inclosure Act.

22. The charter of Ryddland, the liberties of which are conceded equally to the burgesses of Caerwys, contains a clause similar to that which is found in the charter of Flint, viz.—

"Moreover we grant to the same burgesses that all lands now assigned to the same borough be altogether dewarrened and disafforested." It is probable therefore that, at that time, they possessed lands; that they were indeed owners of the soil, and had not merely a bare right of common.

The

CAERWYS.

The Inclosure Act passed 49 Geo. III., entitled "An Act for inclosing lands in the parish of Caerwys, in the county of Flint," after reciting that there were within the parish of Caerwys, waste lands, containing about 1,200 acres, and that the King, in right of his Crown, was owner of the soil of the said waste lands (except as thereinafter mentioned), and that the Earl of Plymouth was lord of the vill of Caerwys within the said parish, and owner of the soil, mines and minerals in, over and under so much of the said waste lands as lie situate within the said vill of Caerwys, and that the rector of the parish of Caerwys was entitled to certain glebe lands within the same parish, and in respect thereof to a right of common upon the said waste lands; and that the said Earl of Plymouth, Sir T. Mostyn, bart. and Samuel Mostyn, esq., and divers other proprietors of messuages, lands and tenements within the said parish were entitled, in respect thereof, to a right of common upon the said waste lands in proportion to their respective estates within the same parish, proceeds to enact that the said wastes shall be divided and inclosed, without making any provision for, or noticing, any antecedent right of common exercised by the burgesses.

It was in evidence however here, as at Flint, and at Ryddland (where similar Inclosure Acts had been obtained) that the burgesses, whether owners or occupiers of ancient lands within the borough or not, had previously exercised in effect a free and unrestricted right of common for all their cattle upon these waste lands.

Patronage.

23. There is no Patronage, ecclesiastical or other. The rectory is in the gift of the Bishop of St. Asaph, and produces something less than 300 *l.* a year. The Rev. Richard Richards is the present incumbent.

Local Acts.

24. The only local Act of Parliament affecting the borough of Caerwys is the Inclosure Act above referred to.

General State and Prospects. Agriculture.

25. The district around Caerwys is purely agricultural, and its state and prospects were represented as deplorably bad by the farmers; and certainly, upon a cursory view, there was nothing to lead a traveller to suspect that their representations were much exaggerated.

Church.

26. At the Established Church, the service is performed in the English language only once in each month, in the evening; at other times it is in Welsh

Dissenters.

27. There are two dissenting meetings for Wesleyans and Welsh Calvinists, at both of which the service is exclusively in Welsh.

Schools.

28. Most people, however, can speak both languages. There is an English Day school and a Welsh Sunday school; the school house was built by subscriptions of the neighbouring gentry, and is maintained partly by subscription, partly by quarterage; persons of all religious persuasions are indiscriminately admitted to it; and the education of young persons generally does not appear to be neglected. The commissioner is directed by the Inclosure Act, p. 12, to award to the minister, churchwardens and overseers of the poor of the parish of Caerwys, a portion of the commons of the annual value of 40*s.* (a small proportion of 1,200 acres) which, with the increased rent, shall be applied towards the support of a school-master for the parish, or otherwise, as they shall direct. The allotment is now let for 50*s.* a year (about one half its value) to an infirm old man: the mode in which the rent is applied was not very distinctly explained; it seems however to go to the poor, and not to a school-master.

Magistracy.

29. There is no Magistrate resident within the borough or parish, the nearest are two clergymen, who reside about three miles distant, viz. the rector of Skeivioch and the vicar of Whitford.

Tolls.

30. The Tolls are represented to be a great check upon the prosperity of the place, and to create much squabbling and ill blood.

They are under lease from the lord of the manor. The lessee takes 1*d.* for every head of cattle; 4*d.* for every horse; 4*d.* for each cart-load of pigs; 1*d.* per stand for goods; 1*d.* per pen of sheep, and 5*d.* or 6*d.* per score for all sheep sold.

There are six fairs in the year for cattle and goods generally, and also the great market a fortnight before Christmas, and the new market a fortnight after Christmas.

Exemption from Toll.

31. The same Exemption of resident burgesses from Toll prevails at these two markets, as at the fairs; and they also pay 2*d.* only upon cattle impounded in the pinfold, while strangers pay 4*d.*

Poor-rates.

32. The Poor-rates are very heavy; they amount very nearly to 4*s.* 6*d.* in the pound on the rack-rent, but have been somewhat reduced of late years.

The management of the poor is wholly in the hands of the overseers, subject to the ordinary control.

Water.

33. Great inconvenience is suffered by the inhabitants from a deficiency in the supply of Water; indeed on this score, as well as on others, it would be difficult to account for the original construction of a town in such a situation; unless the military advantages it is supposed to possess recommended it to the Romans, or to other founders of an equally martial character.

The well which supplies the place is distant above a quarter of a mile, and a regular traffic is made of conveying water to the town.

CAERWYS. Prospects.

There is nothing in the situation, or existing circumstances of Caerwys, that seems to offer any prospect of early improvement, or any reasonable hope of counterbalancing its natural disadvantages by the accession of new conveniences.

London, 24 January 1834. *Geo. H. Wilkinson.*

I send with this Report the following documents:

A. Copy of the Charter of Caerwys, 1st September, 9 Hen. IV.
B. Inclosure Act, 49 Geo. III.
C. Letter, Hon. E. L. Mostyn.

REPORT

ON

THE CITY OF CHESTER,

(CHESHIRE.)

CONTENTS.

	Page
I. Local Limits of the City	2615
By Reputation	2615
By Charter	2615
Division into Wards	2615
Creation of County of City	2615
Jurisdiction of Corporation	2615
Maritime	2615
Under Boundary Act	2616
Extra-Parochial Districts	2616
II. Charters:	
Index to Charters	2616
Charters antecedent to governing	2616
List of Charters, Grants, &c.	2616
Charter of Ranulph, 1st, 2d, 3d	2617
John, Earl of Chester	2618
John, Earl of Moreton	2618
Henry III.	2618
Edward I.	2618
Edward, Prince of Wales	2618
Edward III.	2618
Richard II.	2618
Henry IV.	2618
Henry, Prince of Wales	2618
Henry VI.	2618
Henry VII.	2618
Governing Charter	2618
Henry VIII.	2618
Elizabeth	2619
James I.	2619
Oliver Cromwell	2619
Charles II.	2619
James II.	2619
George III.	2619
III. Title of Corporation	2619
IV. Officers	2619
Mayor	2619
Alteration of Charter Day	2619
Election of Mayor, in practice	2620
Functions of	2620
Salary of	2620
Deputy Mayor	2620
Recorder	2620
Sheriffs, Functions of	2620
Execution of Criminals	2621
Coroners and Treasurers	2621
Functions of	2621
Leave Lookers	2621
Town Clerk	2621
Aldermen and Councilmen	2621
Election of, in practice	2622
Functions of	2622
Muragers	2622
Sword Bearer	2622
Serjeants-at-Mace and Mace Bearer	2622
Ministers of Pentice Court	2622
Yeomen of the Pentice	2622
Crier	2622
V. Modes of acquiring Freedom	2622
Duties, Privileges and Emoluments of Freemen	2622
Number of Freemen	2623
VI. Ruling Body	2623
VII. Fees on admission of Freemen	2623
VIII. Courts: Criminal, Crownmote	2623
General Sessions	2624
Civil - Portmote	2624
Pentice, or Sheriff's Court	2624
County Court	2625
Passage Court	2625
IX. Juries	2625
X. Police	2625
Sittings of Magistrates	2625
Poor	2625
Paving, lighting, &c.	2626
XI. Gaols: Cost of erection	2626
Visiting Magistrates	2626
Discipline	2626
Salaries	2626
Number of Prisoners	2626
XII. Fines on Members of Corporation	2626
XIII. Property:	
Income	2626
Houses and Lands:	
Shordley Estate	2627
Hope Estate	2627
Guilden Sutton Estate	2627
Iscoyd Estate	2627
Tithes of Hope	2627
Waste	2627
House of Industry	2627
Houses	2627
Leys on Roo Dee	2627
Grand Stand	2627
Rope Walk	2627
Markets	2627
Tolls	2627
Weighing Machine	2628
Brick Ground	2628
Prisage on Wine	2628
Disbursements	2628
Crown Rent	2628
City Plate	2628
Interest payable to Trustees of Owen Jones's Charity	2628
Application of Proceeds of same	2628
Allowances to decayed Mayors	2628
Cook	2628
Blue Coat School	2628
Legacies	2629
Brereton's Legacy	2629
Chief Rents	2629
Guilden Sutton Chief Rents	2629
St. John's Hospital, Crewe's Charity	2629
Receipt of Funds	2629
Audit Committee	2629
Inspection of Accounts	2629
Debt	2629
Average Receipts and Disbursements	2630
Complaints	2630
XIV. Patronage	2631
XV. Local Acts of Parliament	2631
XVI. General State and Prospects	2631
Poor Rates	2631
Education	2631
Habitations of Poor	2631
Beer Act	2631
Jurisdiction	2632
Statute Acres	2632
Population	2632
Assessed Taxes and Parochial	2632
Number of Houses	2632
Electors	2632
Incorporated Companies	2632
Tanners	2633
Merchant Drapers and Hosiers	2633
Brewers	2633
Barber Surgeons and Chandlers	2633
Cappers, Pinners, Wire Drawers and Linen Drapers	2634
Bricklayers	2634
Carpenters, Slaters and Sawyers	2634
Joiners, Carvers and Turners	2634
Painters, Glaziers, Embroiderers and Stationers	2634
Goldsmiths	2635
Smiths, Cutlers, Cardmakers & Plumbers	2635
Butchers	2635
Wet and Dry Glovers	2635
Cordwainers	2635
Bakers	2635
Fletchers, Bowyers, Coopers & Stringers	2636
Grocers, Ironmongers, Mercers and Apothecaries	2636
Innholders, Cooks and Victuallers	2636
Skinners and Feltmakers	2636
Saddlers and Curriers	2636
Merchant Tailors	2637
Weavers	2637
Fishmongers and Dyers	2637
List of Documents	2637

CITY OF CHESTER.

THE following description of the ancient Limits of the city of Chester is preserved among the records of the corporation. I. Local Limits of the City by reputation.

"From Iron Bridge across the township of Claverton to the Wrexham turnpike road, thence to Lache Hall, thence to Saltney; across the Mold turnpike road to the navigation of the river Dee; across the river Dee; thence to Blacon Point, along Finchett's Gutter to Stone Bridge; from Stone Bridge to the Neston turnpike road, thence to Bache; across the Chester and Woodside turnpike road, thence to Brook Lane; across Brook Lane to Flooker's Brook, thence to Boughton; across the Chester and Tarvin turnpike road, thence to the Chester and Whitchurch turnpike road, thence along Sandy Lane to the river Dee, to a point opposite Iron Bridge first above mentioned."

This description appears to have been substituted, with some abridgment and interpolation of modern names, for the specification of the boundaries contained in a charter of the Black Prince, bearing date the 9th March, in the 15th year of the reign of Edward III. It is given as transcribed from Stow's MSS., in Sir P. Leycester's Cheshire, p. 173, note (i), as follows: — By Charter of Edward Prince of Wales.

"A Clavertonlode, ex opposito Pontis Ferrei, et sic ascendendo per quoddam sichetum usque Green Ditch, similiter vocatum le Marle Ditch, sequendo illud fossatum usque quandam viam quæ ducit de Bromfield versus Cestriam, usque Old Ditch juxta quandam marleram, et sic sequendo fossatum illud versus partem Borealem, usque ad quandam viam quæ ducit versus partes occidentales, in terram Roberti de Bradford, et terras Michaelis Scott, usque ad caput fossati illius, et sic sequendo terram Roberti de Bradford, ad terram Priorissæ et Morialium Cestriæ, quæ quidem terra fuit prius Thomæ d'Arriers; et deinde sequendo quoddam sichetum usque ad quandam viam quæ ducit de Cestriâ versus Kynarton, et ultra illam viam ad villam de Lache; et sic per medium villæ illius ex parte Boreali usque Londpole in Saltney, similiter vocat. Blackpoole; et sic sequendo illud Poole usque ad aquam de Dee, descendendo in eandem aquam apud le Poole Bridge; et sic sequendo rivulum ex alterâ parte usque ad le Stone Bridge et deinde usque ad le Bache Poole, usque ad quoddam sichetum vocatum le Flooker's Brook, usque Bispe Ditche; et sic sequendo illud versus partes orientales, et postea sequendo illud fossatum versus partes orientales, et postea versus partem australem, usque viam quæ ducit de Stamford Bridge versus Cestriam, sequendo viam de Cest. versus Tarporly; sequendo viam illam, dimittendo grangiam Leprosam, ex parte orientali, usque in le Hollow way, quæ ducit usque Pother Bach subtus montem aquæ de Dee; et sic sequendo ripam aquæ illius usque Huntinton Wood, et deinde usque ad partem fin'em."

These limits are marked by stones engraven with numbers, a list of which, with their relative bearing to each other, is kept in the town clerk's office.

The city is divided into 12 Wards; viz. Trinity, St. Michael's, St. Giles, St. Thomas, St. Bridget's, St. John's, St. Oswald's, St. Mary's, St. Martin's, East Gate, North Gate and St. Olave's; and it comprehends portions of nine parishes; viz. St. Oswald's, St. John's, St. Mary's, Trinity, St. Peter's, St. Bridget's, St. Martin's, St. Michael's and St. Olave's; four of these, viz. St. Oswald's, St. Mary's, Trinity and St. Bridget's, have continuous parts extending beyond the boundary of the city, and the other parishes have all some insulated parts lying without that boundary. Divisions into Wards.

The city was made a County of itself by Henry VII. The governing charter, granted by that king in the 21st year of his reign, reciting the good behaviour and great costs and expenses of the citizens, and also the gratuitous services very many times rendered to him by them against adversaries and rebels, proceeds to grant to "the aforesaid citizens and commonalty, and their heirs and successors for ever, that the said city and all the ground within the ditch of the same city, with the suburbs and hamlets in the precincts and compass of the same, and all the ground in the precincts, &c. (our castle of Chester within the walls of the same city situate, wholly excepted) be henceforward exempted and separated, and in all things and to all intents, be entirely exempted and separated, as well by land as water, from the county of Chester, and that the said city, and the suburbs and hamlets thereof, and all the ground, &c. (except as before excepted) be henceforth a county by itself and in itself, distinct and separate from our county of Chester, and be for ever hereafter named and called the County of the City of Chester." County of City, creation of.

The Jurisdiction of the corporation extends over all that is included within that boundary, except the above mentioned precinct of the castle, where the county gaol stands, and some adjoining lands purchased under the provisions of a local Act of Parliament, and conveyed to the lord lieutenant for the use of the county. Jurisdiction of Corporation.

Under the provisions of the charter of the Black Prince also, this jurisdiction is extended over the whole estuary of the river Dee, when and so far as the same is covered with water, by Maritime.

CHESTER.

by the name of the "Waters of the Dee," that is to say, from Iron Bridge aforesaid to Arnold's Eye, now called the Red Stones, near Hoylake.

Under Boundary Act.

A district of a small extent, but comprising the flourishing suburb of Boughton, has been added to the city of Chester by the Boundary Act, for the purposes of parliamentary representation. It may be noticed here that the description of the limits of the city of Chester given by the Commissioners in the Boundary Report varies materially as to the parishes from the foregoing.

Extra-parochial Districts.

The precinct of the cathedral, called "the Cathedral District," is extra parochial; it comprehends the bishop's palace, the prebendal houses, the Abbey-square and many other of the best houses in the city. The estimated value of this district is such that, upon the accustomed basis taken here of one-third of the rack-rent, it would be rated to the relief of the poor at 300 *l.* or 400 *l.* a year.

The inhabitants of the other part of the city represent it as a hardship, that their more wealthy fellow-citizens, occupying this precinct, should be exempt from liability to maintain paupers, who, as it has often happened, would have been legally settled there but for the exemption in question.

There is also within the city an extra parochial vill or place, called the "Spital," and another called the "Hospital of St. John without the North Gate."

II. Charters.

The high antiquity of the city of Chester as a Roman station is not better attested than its early importance as a corporate town; numerous documents still in existence furnish evidence of the various immunities and privileges from time to time granted to the citizens.

Index to the Charters.

The corporation possess a folio manuscript, entitled "An Index to the Records belonging to the Corporation of the City of Chester, arranged in July 1806." It was compiled, under their direction, by George Frederick Beltz, esq., of the Herald's Office.

The town clerk has also a book containing copies of the governing charter of 6th April, 21st Henry VII., arranged in three columns; the first column has the abbreviated Latin version, as in the original; the second an expanded version of the Latin; and the third, an English translation. This book was drawn up by the direction and at the expense of the present town clerk, and is his private property. It was however submitted by him to the full inspection of the Commissioners, who collated it with the original charter. The translation sent with this Report is a copy taken from that book.

Charters antecedent to Governing Charter.

In the following detail respecting the charters antecedent to the governing one, I have pursued the evidence given, upon the Municipal Inquiry, by the town clerk so far as it extended on that head; but some parts are supplied from a "History of the City of Chester" now in the course of publication, which was tendered as documentary evidence on this and other subjects, and the accuracy of which, in general, does not appear to be doubtful.

List of Charters, Grants, &c.

The following is a list of the several charters, grants, &c., taken from the Index before mentioned:—

No. 1, 2, 3. Three Charters of Ranulph Earl of Chester (without date.)
4. A Charter of John Earl of Chester and Huntingdon.
5, 6. Two Grants by John Earl of Moreton and Lord of Ireland, dated 3d May, 3d Richard I.

Three Charters of Henry III.; viz.

7, 8. 8th December, 22d Henry III.; another of same date;
9. and 23d October, 23d Henry III.
10. Charter of 12th June, 28th Edward I.
11. 25th December, 1st Edward III. (with duplicate and triplicate.)
12. Edward Prince of Wales and Earl of Chester, dated 9th March, 15th Edward III.
13. 10th April, 1st Richard II.
14. 10th December, 3d Richard II.
15. 25th July, 11th Richard II.
16. 31st March, 18th Richard II.
17. 6th November, 21st Richard II.
18. 19th July, 22d Richard II.
19. 23d February, 2d Henry IV., by Henry Prince of Wales.
20. 3d November, 5th Henry IV., by the King.
21. 5th March, 8th Henry IV., by Henry Prince of Wales.
22. 20th May, 10th Henry IV., by Henry Prince of Wales.
23. 20th November, 4th Henry VI.
24. 24th August, 23d Henry VI.
25. 20th November, 35th Henry VI.
26. 21st March, 1st Henry VII.
27. The "Grand Charter," 6th April, 21st Henry VII.
28. 4th June, 38th Henry VIII.
29. Claim of the serjeantry of Dee by Robert of Eton (without date.)
30. Charter of 14th June, 16th Elizabeth.
31. Grant of Armorial Ensigns to the city of Chester, under the hand and seal of William Flower, Norroy King of Arms, dated 3d September 1580.
32. Charter of 7th February, 2d James I.
33. 14th December, 3d James I.

34. Commission for administering the oaths of supremacy and allegiance, &c., 10th January, 17th Charles I.
35. Patent by Oliver Lord Protector, granting master and wardenship of St John's hospital to the mayor and citizens.
36. Charter of 6th June, 16th Charles II.
37. 4th February, 37th Charles II.
38. 15th September, 4th James II.
39. 26th October, 4th James II.
40. 15th March, 12th William III.
41. 7th December, 44th George III.

The Index contains also a notice, in the hand-writing of Mr. Richards, the late town clerk, of a charter dated 11th Edward III., by the Black Prince, granting the city fee-farm to Richard Earl of Arundel, for the term of his life; this grant is also mentioned by Sir P. Leycester, p. 173.

Ranulph.

The earliest charters possessed by the corporation are those, three in number, of Ranulph or Randle, Earl of Chester; they are without date, and some controversy has arisen among historians upon the question, whether they were in fact granted by the three several Earls Ranulph (who governed the city in succession from 1120 till 1232, with the intervention only of Earl Hugh, from 1152 till 1180,) or were *all* grants of Ranulph *Blundeville*, the *third* earl of that name. Very cogent inferences are drawn in favour of the latter supposition from the names of the attesting witnesses to each charter (see the History of Chester, before referred to.)

As these charters are not long, and furnish the earliest extant evidence of the privileges of the citizens and demesne men of Chester, it is thought proper to set them out in this Report.

Charter I. Ranulph, 1st.

"Randle, Earl of Chester, to his constable and dapifer, justice and sheriff, and all his barons and bailiffs, and all his men, French as well as English, future as present, greeting: Be it known to you all, that I have given and granted, and by the present charter have confirmed to all my citizens of Chester, their guild mercatory, with all liberties and free customs, which they ever better and freely and quietly have had in the times of my ancestors, in the aforesaid guild. And I prohibit, on the forfeiture to me of 10*l.* if any one shall disturb them, these being witnesses:—Roger, Constable of Chester; Ralph de Monte Alto, Steward of Chester; William and Robert Patrick; Philip de Orreby; Richard and William de Boidell; Richard Phitton; Luilph de Twamlow; Rauno de Davenham; Warin de Vernon; Robert, the son of the Fisher; Peter, the Clerk; Earl Richard; Fisher Herbert, of Pulford; William de Verdon; Thomas, the Clerk. Written in the presence of the Earl and many others at Chester."

Charter II. Ranulph, 2d.

"Randle, Earl of Chester, to his constable, dapifer, justices, bailiffs and all his barons, and all his men, French and English, as well to come as present: Be it known to you all, that I have given and granted, and by present charter have confirmed to all my citizens of Chester, all the liberties and all the free customs which they ever better, and more freely and quietly, have had in the times of any of my predecessors, and particularly an acquittance and release of recognizance and proportionment in the said city of Chester for ever. And that if any citizen of my aforesaid city die, his testament, reasonably made, may be good in law, and firm wheresoever he may die. And that if any citizen shall make any purchase in open day and before witnesses, and suit shall afterwards come from a Frenchman or an Englishman, who can reasonably challenge the thing bought, the citizen who shall have made that purchase may be quit of me and my bailiffs, by losing so much only, and restoring what he shall have bought, if he cannot otherwise satisfy the challenge; but if suit shall arise from a Welchman, who can reasonably challenge the price of the thing bought, he may give back to the citizen what the same citizen shall be reasonably able to show that he gave for the thing bought. And that if a citizen in the aforesaid city shall have lent to any one his chattels, it may be lawful for him to take surety in the city for the recovery of his chattels, without license or demand from my sheriff or other bailiff. And if any citizen of the aforesaid city, in my service, shall have been slain, it may be done with his chattels as if he should have made a reasonable testament. All these the aforesaid liberties and free customs to the aforesaid citizens I have given and granted, and by my present charter have confirmed to them and their heirs, to be had and held of me and my heirs freely and quietly and peaceably for ever. And I forbid that any one disturb them or their heirs therein under the forfeiture of 10*l.* These being witnesses—Roger, Constable of Chester; Ralph de Monte Alto, Steward of Chester; Ralph de Mainwaring; William and Robert Patrick; Philip de Orreby; Richard and William de Boidell; Richard Phitton; Luilph de Twamlowe; Randle de Davenham; Warin de Vernon; Robert, the son of Picol; Peter, the Clerk; Earl Richard; Picie Herbert de Pulford; William de Vernon; Thomas Clark, and many others at Chester."

Charter III. Ranulph, 3d.

"Randle, Earl of Chester, to his constable, dapifer, justice, sheriff, barons, knights, bailiffs and all his men, present and to come, greeting: Know ye that I have granted, and by my present charter have confirmed to my demesne men of Chester, and to their heirs, that no one may buy or sell any kind of merchandize which may have come to the city of Chester, by sea or land, but them or their heirs, or by their favour, unless at the fairs appointed on the nativity of St. John the Baptist, and on the feast of St. Michael. Wherefore I will that my aforesaid men, and their heirs, may have and hold the before-mentioned liberty from me and my heirs for ever, freely, quietly, honourably and peaceably; and I prohibit, on the forfeiture of 10*l.* to be taken for my use, that no one may hinder or trouble them in respect of the aforesaid liberty.

CHESTER.

liberty. Witnesses—the Lord Hugh, then Abbot of Chester; Philip de Orreby, then Justice of Chester; Warren de Vernon; William de Venables; Peter le Clerk; Roger de Mainwaring; Hugh and Thomas de Spencer; Alured de Suligne; William Pincerna; Norman Pantulf; Adam de Yeland; David de Malpas; Josecram de Helsby; Richard de Rengeslegh; Hugh and Geoffrey de Dutton; Master Hugh; and many others."

John, Earl of Chester and Huntingdon.

The charter of John, Earl of Chester and Huntingdon, granted the same powers to the "guild mercatorie," as freely as in the time of his uncle, Randle Blundeville, whom he succeeded in the earldom of Chester.

John, Earl of Moreton.

The first charter of King John, when Earl of Moreton and Lord of Ireland, is dated merely "temp. Ricardi primi." It confirms a grant made to the citizens by Henry II., relating to the customs between Chester and Ireland. The second is dated 3d May, 3 Richard I. Sir P. Leycester (History of Cheshire, p. 173,) mentions also a charter of John, when king.

Henry III.

The three charters of Henry III. confirm to the citizens the immunities and privileges they had received from Ranulph.

Edward I.

The charter of Edward I., given at York, 12th June, in the 28th year of his reign, is an *inspeximus* of those of Henry III. and Ranulph, which it confirms; and by the same charter the king gave the city of Chester, with the appurtenances, liberties and freedoms, to the citizens of Chester and their successors, to be holden of him and his heirs for ever, paying yearly 100 *l.*; he erected also the office of coroner there, and granted the citizens soc, sac, tole, theam, infang-theof, and outfang-theof; and to be free throughout all his lands and dominions of tole, passage, &c.

Edward, Prince of Wales.

In the 11th year of Edward III. Edward, the Black Prince, made the grant beforementioned of this fee-farm rent of 100 *l.* to the Earl of Arundell, for the term of his life. The same prince granted also the charter defining the boundaries of the city, as before stated.

Edward III.

The charter of Edward III., given at Worcester, 25th December, 1st year of his reign, is a confirmation of that of his grandfather, King Edward I., and of the charters of the earls, with a grant to the citizens of the vacant grounds within the city, and liberty to build upon the same.

Richard II.

The first of the grants and charters of Richard II., dated 10th April, 1st Richard II., reciting the ruinous state of the city and haven, releases to the citizens the sum of 73 *l.* 10 *s.* 1½ *d.*, parcel of the fee-farm and annual gabel rents of 100 *l.* reserved by King Edward I.

That of 10th December, 3d Richard II., is an *inspeximus* and confirmation of former charters.

That of 25th July, 11th Richard II., is a charter granting the profits of the passage over the Dee to the citizens, and also the proceeds of the murage duties, towards the reparation of the city walls.

That of 31st March, 18th Richard II., grants the murage for the further term of four years.

That of 6th November, 21st Richard II., grants the same for five years more.

The charter of 19th July, 22d Richard II., was an *inspeximus* and confirmation of preceding charters; and further granted to his subjects, mayors, sheriffs and commonalty of the said city, leave to hold their courts; and limited what processes they might award in actions personal, felonies, appeals and processes of outlawry. It is under the seal of the county palatine.

Henry IV.

King Henry IV., on the 3d November, in the 5th year of his reign, for a fine of 300 marks, or an estippament of men, granted a pardon to the mayor and citizens for the service and aid they had given to Henry Percy.

Henry, Prince of Wales.

The charters granted by Prince Henry, *temp.* Henry IV., are confirmations to the citizens of the freedoms enjoyed by them under former charters. The grant dated 20th May, 10th Henry IV., is of the profits of the murage and bridge tower, *durante bene placito.*

Henry VI.

On the 20th November, 4th Henry VI., that king gave the city a charter of *inspeximus* and confirmation of former charters.

On the 24th August, in the 23d year of his reign, in consideration of the lamentable decay of the port during the late rebellion, by reason of the abundance of sand which had been allowed to choke up the creek, he released to the city the arrears and 10 *l.* annually of the fee-farm rent reserved by Edward I.

Henry VII.

King Henry VII. on the 21st March, in the 1st year of his reign, remitted for ever the sum of 80 *l.* parcel of this rent; and, accordingly, the remaining 20 *l.* still continues payable.

Governing Charter.

On the 6th April, in the 21st year of his reign, he granted that which is usually denominated "The Grand Charter," and may be considered the Governing Charter of the city: the more important provisions of which will be detailed in the sequel of my Report. This charter is under the seal of the County Palatine: it is numbered 27 in Mr. Beltz' Index.

Henry VIII.

The charter of Henry VIII., 4th June, 38th year of his reign, is an *inspeximus* and confirmation of the charter of Henry VII.

The

The charter of Elizabeth also inspects and confirms that of Henry VII.; and makes provision for replacing the mayor and sheriffs, in the event of their dying when in office: it further gives power to the mayor and citizens to purchase and hold in mortmain lands, &c. not exceeding the yearly value of 100 *l.* A translation of this charter is given with the printed translation of that of Henry VII., and accompanies this Report. Elizabeth.

The charter of 2d James I. is a mere *inspeximus* and confirmation of that of Elizabeth. James I.

Oliver Cromwell, when Lord Protector, by his letters patent under the Great Seal of the Commonwealth, dated at Westminster the 23d June 1658, granted to the mayor, aldermen and citizens of Chester, and their successors, the hospital of St. John the Baptist, and all lands, &c. thereunto belonging; and ordered that Richard Minshull, then mayor, and his successors in office, should be the masters and keepers of the said hospital for the time being. Cromwell.

This charter is in English, highly ornamented, and in the most perfect state of preservation.

The charter of 6th June, 16 Charles II., is a confirmation of the governing charter of Henry VII., renewing all the ancient rights of the city, and recognizing it as a county of itself. Charles II.

That of 4th February, 37 Charles II. and the charter of James II., in no way affect the present government of the city. James II.

That of George III. relates to the appointment of a deputy mayor, and will be noticed hereafter in its proper place. George III.

The title of the corporation, under the governing charter of Henry VII. was conferred, "per nomen Majoris et Civium Civitatis Cestriæ." The title remains at the present day, "The Mayor and Citizens of the City of Chester." III. Title.

The Officers of the corporation are— IV. Officers.

Mayor	1
Deputy Mayor	1
Recorder	1
Sheriffs	2
Coroners and Treasurers	2
Leave Lookers	2
Town Clerk	1
Aldermen, including Mayor, Deputy Mayor and Recorder	24
Common Councilmen	40
Muragers	2
Sword Bearer	1
Mace Bearer (or Serjeant)	1
Serjeants-at-Mace	4
Ministers of the Pentice Court	4
Yeoman of the Pentice	1
Crier	1

The officers connected with the gaol and police will be noticed under those heads.

Mayor, Office of.

The office of Mayor is of very high antiquity in the city of Chester: the precise time when it was first erected has not been ascertained. Sir Walter Lynnett is the first on record as having filled the office. He appears to have held it from 1247 for several years in succession.

The charter of Henry VII. provides, that "the aforesaid citizens and commonalty, and their heirs and successors, may have, make and have power to choose a mayor from among themselves every successive year;" and it proceeds to define the mode of his election as follows: "All the fellow citizens of the said city, and of the aforesaid suburbs and hamlets, dwelling within the said city, suburbs and hamlets of the same city, who shall wish to be present at the election of the mayor, may every year, on Friday next after the Feast of St. Denys, freely and without any objection, meet together at the Common Hall of the aforesaid city, who so being there, or the greater part of them, may name two citizens, dwelling in the said city, from among the most sufficient, discreet and worthy persons of the number of the 24 aldermen in the same city, suburbs and hamlets, in like manner to be chosen in form following: either of whom hath or hath not been mayor or sheriff of that city, and shall not in anywise have occupied the office of sheriff for three years next immediately preceding the aforesaid Friday next after the Feast of St. Denys; of which two so named, the great part of the aforesaid aldermen and sheriffs then there present, may name, choose and make one mayor: and if in such election or nomination of this one person for a mayor the discordant votes shall be equal in number, then we will that the vote of the mayor of the same city for the time being, be deemed and taken for two votes." Mayor, Election of, by Charter.

The statute 26 Geo. II. c. 34, s. 4, reciting, that of 24 Geo. II. c. 23 (for correcting the calendar); and further reciting, that before the making of that Act, one of the annual fairs within the city was begun to be holden on the 29th September; that pursuant to the directions of that Act, the Friday next after the Feast of St. Denys (9th October) would always thereafter happen during the time of holding the said fair, which continued for several days; and that therefore it would be very inconvenient to the citizens if the election of the mayor Alteration of Charter Day.

CHESTER.

and other annual officers continued to take place on the old Charter day, substitutes for the same the Friday next after the 20th day of October in every year.

Mayor, mode of Election in practice.

Exclusive as the mode of election of their chief magistrate prescribed by the charter had been, the select body of this corporation has not been content to abide by it, and, in practice, the following course has been adopted: previous to the meeting of the citizens in Common Hall, there is uniformly a meeting of the mayor, sheriffs, aldermen and common councilmen to decide upon two aldermen, whom they may recommend to the citizens as fit persons to fill the office of mayor. Those selected ordinarily are the two next in rotation, duly qualified for the office by residence and otherwise.

The recorder then proceeds to the Common Hall, and announces to the citizens there assembled the names of the two aldermen so recommended for their choice; and they have almost constantly returned to "the Court of Aldermen" the two thus recommended.

It has, however, twice occurred, within living memory, that the citizens refused to put in nomination the persons recommended. This was in the years 1818 and 1819, when one objectionable to the governing body, on political grounds, happened to stand next in rotation; he was passed over, and the two succeeding aldermen were recommended to the citizens; who, nevertheless, on both occasions, resolved to put the obnoxious officer in nomination.

Before that time the meetings in Common Hall for the election of mayor were very thinly attended. In 1819 the polling for the nomination of the two aldermen continued for three days; and there has since been generally a full attendance of the citizens on the occasion. It is obvious, however, that the control over the elections thus afforded to the citizens is quite unsubstantial and powerless.

No official minute is ever made of the proceedings at the election of mayor.

Mayor, Functions of.

The charter of Henry VII. provides, that the Mayor, as soon as he shall have been chosen, shall be escheator and clerk of the market there—offices now of no practical importance.

By the same charter, "the mayor and recorder of the aforesaid city, and their successors, mayors and recorders of the same city for ever, and as well those aldermen who have heretofore been mayors of the said city, as other the aldermen who shall hereafter sustain the burthen of the mayoralty of the said city, shall, so long as they continue aldermen there, be jointly and severally keepers of the peace within and through the whole city of Chester suburbs, hamlets, lands, precincts and circuit thereof, and be justices of the peace, &c." with full power over all felonies, &c. as hereafter noticed.

He is also judge of the Mayor's or Portmote Court, and of the Crownmote Court, and acts as presiding magistrate at the Court of Quarter Sessions, in which, under the charter of Henry VII. the mayor and recorder are justices of the *quorum*.

Mayor, Salary of.

An allowance of 150*l.* is made to the mayor for entertainments and some other trifling incidental expenses during his year of office; but the ordinary charges of the office are estimated, on the lowest calculation, at 400*l.* He has no other emoluments.

Deputy Mayor, Appointment of.

The power to appoint a Deputy Mayor is conferred by the charter of 44 George III., which authorizes the mayor for the time being, to nominate from time to time by writing under his hand and seal, &c. with the consent and approbation of any three of the aldermen, testified by their signing the same, one of the aldermen of the said city, who shall have served the office of mayor, to be deputy of him the said mayor.

Functions.

The charter then gives the deputy power to execute all the functions of the office of mayor; but at such times only as the said mayor for the time being shall be absent from the said city on account of sickness or other reasonable cause, or be prevented by sickness, infirmity, interest or other legal cause, from attending on and executing the same office.

The appointment is required to be registered within 14 days of execution, among the proceedings of the Crownmote and Portmote Courts; and a power of revocation, by instrument in writing under the hand and seal of the mayor, is added, subject to a like proviso for registration.

Recorder, Election of.

The charter of Henry VII. provides, that out of the 24 aldermen, one, by the unanimous consent and assent of the mayor and aldermen, and sheriffs and other citizens of the Common Council aforesaid, may be elected and appointed to the office of Recorder of the aforesaid city.

Functions.

Under the same charter the recorder, with the mayor, is a justice of the *quorum* for the trial of all manner of felonies, &c. The recorder also assists the mayor at the Portmote and Crownmote Courts.

Salary.

He has a salary of 105*l.* a year, and no other emoluments.

In practice, during living memory, the person chosen to fill the office of recorder has been a barrister of considerable standing in the profession.

King James I., on the 22d November, in the third year of his reign, by his letter to the mayor, aldermen and citizens, required them to elect a recorder of his own nomination, Hugh Mainwaring. Against this interference, however, the mayor, aldermen and council of the city, claiming the election as their right, entered a firm, though respectful protest.

Sheriffs, Election of.

The charter of Henry VII. provides, that "the said mayor and citizens may have, make and have power to choose from among themselves, every successive year, two citizens for Sheriffs, of the same county of the city of Chester;" and proceeds to define the mode of their election as follows:

"That the mayor, sheriffs and aldermen of the said city and county, dwelling therein, being annually assembled and met together on, &c. they, or the greater part of them, then there personally

personally being may, the same day, freely elect and appoint an able and efficient person for one sheriff of the aforesaid city; and the said other fellow citizens then there in like manner present, or the greater part of them, another sufficient and able person for the other sheriff of the aforesaid city; which two, so elected, may be and remain sheriffs, &c. for one whole year.

These are usually called the "first" or "mayor's sheriff;" and the "second" or "popular sheriff."

The common councilmen vote for the latter, as citizens; but not the mayor, aldermen or sheriffs.

Sheriffs, Functions of.

The Sheriffs preside as judges in the court called the "Pentice Court;" and to them belongs the execution of all writs from the superior courts at Westminster, within the liberties of the city of Chester.

Execution of Criminals.

Upon them also formerly devolved the duty of executing all criminals capitally convicted, not only within the jurisdiction of the city and county of the same, but of the county of Chester at large: this was done in pursuance of a writ directed to them from the court of gaol delivery, requiring them to execute the criminal on a day certain named in that writ.

The officers of the corporation, as well as the inhabitants of the city, held the imposition of this duty upon their sheriffs to be a great hardship and annoyance.

Since the enactment of the statute 1 William IV. c. 70, it has been contended that the liability of the city sheriffs to discharge this duty has been taken away, by virtue of the provisions of section 19, and the other clauses relating to the jurisdiction of the courts of the county palatine of Chester and Principality of Wales. The question may still be considered pending; as the recent trial at bar of a criminal information against the sheriff of the county at large, for neglecting to perform the duty, was decided upon a collateral point.*

But for this usage, the city sheriffs would have been rarely called upon to do executions; about six capital convictions only were said to have occurred within the jurisdiction of the city since 1780.

Sheriffs, Emoluments.

The sheriffs have no salary or emoluments.

Coroners and Treasurers, Appointment of.

The charter of Henry VII. grants "to the mayor of the aforesaid city and his successors, that they may yearly choose from among the most discreet and worthy citizens of the aforesaid city, two citizens to be the Coroners within the said city and limits and liberties thereof," who are sworn to execute the office faithfully within the city and limits and throughout the bounds aforesaid.

The duties of Treasurer have been attached to the office of coroner; and the usage has been for the junior coroner and treasurer to do no duty (except in default of the senior, from illness or other casualty) in the first year of his appointment; but he is re-appointed, as matter of course, and executes the duties in his second year.

Coroners and Treasurers, Functions and Salaries of.

The Coroners, for the duties usually incident to the office, receive a fee of 10*s.* upon every inquest held in or near the city; when they have to travel to a distance, over that part of the jurisdiction described as "the waters of the Dee," their actual disbursements, whatever the amount, are defrayed by the corporation. As treasurers, they have the management of the funds of the corporation, but receive no emoluments from the office.

Leavelookers.

The Leavelookers are also appointed annually by the mayor for the purpose of collecting a duty of 2*s.* 6*d.* claimed by the corporation to be levied yearly upon all non-freemen who exercise any trade within the liberties of the city of Chester. These fees used formerly to be taken by the yeoman of the pentice in the name of the leavelookers; but since the decision in 1825, of a case in the court of exchequer at Chester, of Harrison *v.* Williams, negativing the right to take these dues, the functions of the leavelookers have become extinct.

Town Clerk, Election of.

The Town Clerk is elected by the select body at an assembly of the corporation, for life.

Functions.

In virtue of his office, he is clerk to the city magistrates; under-sheriff; clerk of the peace for the city; receiver for the county of the city; and clerk to the commissioners under the local Police Act of Chester; all which offices have been invariably held by the town clerks of Chester for the time being.

Town Clerk, Emoluments of.

The town clerk has no fixed salary. He receives the fees incidental to the several offices before mentioned, together with a poundage of 5*l.* per cent. as receiver, upon the rents and other income of the corporation, amounting to upwards of 3,000*l.* a year. But the duties of that receivership, and of his office generally, so entirely occupy the time of one person in his office, as to absorb the proceeds of the poundage altogether.

He receives also certain fees on the admission of freemen, and as the officer of the Local Civil Courts, which will be noticed hereafter. And is paid, as a solicitor, for transacting the legal business of the corporation.

Aldermen and Common Councilmen, Election of by Charter.

The charter of Henry VII. provides for the election of aldermen and common councilmen in the following terms:—"We will also and give and grant, for us and our heirs, to the before-mentioned citizens and commonalty, their heirs and successors, that they and their successors for

* By an Act of the present Session (1835) this question has been set at rest: s. 1 provides that the sheriffs of the county of the city of Chester for the time being shall execute the sentence of death upon all criminals condemned to die for offences committed within the county of Chester: s. 2 empowers the Judge before whom any criminal shall be convicted and sentenced to die for any offence committed within the county of Chester, to make any order he may think fit upon the sheriff of the county of Chester, to execute such criminal at any place within the county, and not within the jurisdiction of the sheriffs of the city of Chester.

CHESTER.

for ever may elect, make and create *every successive year* 24 fellow citizens into aldermen, and also 40 other citizens of the same city for a common council of the aforesaid city; which 24 fellow citizens so elected and created may for ever have and bear the name of aldermen of the city of Chester."

In practice.

The words "every successive year," (*singulis annis successivis,*) are the same which are applied by the charter to the election of the mayor and sheriffs. The practice adopted by the corporation has been, upon the occurrence of a vacancy, to elect the aldermen *for life,* by the suffrages of the 64, from among the 40, or common council. And in like manner to elect the common councilmen, by the same suffrages, for life, from among the citizens.

Aldermen and Common Councilmen, Functions of.

Those aldermen who have "passed the chair" of the mayoralty, are justices of the peace for life, as already noticed under the head of functions of the mayor. The rest are called "single aldermen."

No other functions appertain to the body of aldermen and common councilmen, except of the ordinary corporate character.

Nor have they any salaries or emoluments.

Muragers, Election and Functions of.

The charter of Henry VII. provides that the mayor and citizens "may yearly choose from among the citizens of the aforesaid city two citizens to be overseers of the walls of the aforesaid city, called Muragers, as they have there of old been accustomed to do; and that they shall yearly overlook and repair the walls of the aforesaid city, and that they thus chosen may every year collect and receive a certain subsidy or custom, commonly called murage, as of old it hath been levied in the said city, for the support and building of the said walls."

The expenses of repairing the city walls are now defrayed wholly by the corporation.

Muragers' Emoluments.

Formerly the muragers were paid by a small duty upon Irish linens imported into the city by the river Dee, and called the murage duty; but the impost has entirely failed of late years, and the muragers have now no emoluments for the discharge of their office.

Sword Bearer.

It is also provided by the charter of Henry VII. that "the mayor of the said city and his successors, for the time being, may have their sword which we gave them, or any other, as may please them, borne before them in our absence, and may cause it to be borne before them with the point upright, in the presence as well of other nobles and lords of our realm of England who are related to us in lineal consanguinity, and of others whomsoever, as in any other manner howsoever."

Serjeants-at-Mace.

"And that the serjeants-at-mace of the mayor and sheriffs of the aforesaid city, and of their successors for the time being, may bear their maces guilt, or of silver, or silvered and ornamented with the escutcheon of the arms of us and our heirs, as well in the presence of us and our heirs, as in the presence of our consort and mother."

Election, Functions and Salaries of Sword Bearer and Serjeants.

The sword-bearer and serjeants-at-mace are stated to have now no other duties to perform than to attend on the mayor and corporation, and join in their processions.

Their salaries are yearly—

Sword-bearer - - - - - -	£15 15 –
Mace-bearer - - - - - -	20 – –
Serjeants-at-mace - - - - -	8 – –

They are elected by the corporation in an assembly of the council.

Ministers of the Pentice Court.

The Ministers of the Pentice Court are also appointed by the corporate body in council assembled. They have no salaries; but are paid by certain small fees upon the process used in their court, and on admissions.

Yeoman of the Pentice.

The Yeoman of the Pentice is similarly appointed; but has a fixed salary of 5*l.*

Crier.

The Crier is likewise appointed at an assembly of the corporation in council; he performs the ordinary duties of the office at a yearly salary of 15*l.*

Mode of acquiring Freedom.

The Freedom of the city of Chester is acquired, 1st, by birth.

The father must have been actually admitted to the freedom at the time of the birth of the son, in order to qualify the son for freedom.

2. By servitude. The qualification here consists in having served a freeman for seven years within the liberties of the city.

3. By gift from the select body.

There were frequent instances of such gifts previous to 1825, but only one has since occurred; viz. to his R. H. the Duke of Sussex.

The mayor has also the privilege of presenting freedom to one person on his accession to office. The privilege was regularly exercised to 1825, but has been disused since.

4. By purchase. Formerly, it was a frequent practice for strangers to purchase their freedom, in order to enable them to exercise their trades within the city free from duty, but since the decision of the case before referred to, the practice has wholly ceased. The price paid to the corporation was from 10*l.* to 20*l.*, exclusive of fees, and it went wholly to the corporation chest.

Duties, Privileges and Emoluments of Freemen.

The Duties of freemen are, to sit upon juries and to serve exclusively as constables and city officers.

Their Privileges are, to be exempt from tolls within the liberties of the city, to vote for the election of some civic officers and of members to serve the city in Parliament, as to which, non-resident freemen are excluded by the last determination of the House of Commons in 1734, which established the right in the mayor, aldermen, common councilmen and such of the freemen as should be commorant in the city for 12 months previous to the election.

The

CHESTER.

The citizens are, in ordinary parlance, styled freemen; their numbers are computed to be about 1,450 resident and 100 non-resident. The number on the register in 1832 was 1,379. Numbers.

The corporation is considered a corporation by prescription, as well as by the several charters above described.

The Ruling Body, notwithstanding the provisions of their charter, is now practically elected by the select body, who exercise the right of choosing members to supply the vacancies from time to time occurring in that body. VI. Ruling Body, how elected.

They assert the power to qualify any person on the instant, by making him free, for the purpose of being immediately chosen to supply a vacancy in any of their offices. But no instance of the exercise of such a power is recollected, except in the case of a recorder.

The right of the select body thus claimed and exercised has been called in question on several occasions, as being obviously at variance with the provisions of the governing charter.

One of the earliest occasions was in 1623, on a mandamus, in the case of R. *v.* Brett.

Afterwards in 1733, on quo warranto, in	R. *v.* Johnson.
1784	R. *v.* Amery.
1812, mandamus	R. *v.* Bowers.
1814, quo warranto	R. *v.* Mannering.
1822	R. *v.* Rogers.
1825	R. *v.* Harrison.
1827	R. *v.* Fletcher.
1829	R. *v.* Rogers.

But the right of participating in the election of corporate officers does not appear to have been effectually asserted by the citizens at large at any time, except for a period of four or five years from 1693, during which short interval, the aldermen were chosen by the citizens from their own body at large.

This litigation has been the source of an enormous expenditure of money, stated at not less than 20,000*l.* in the last 20 years. No part of the money appears to have been advanced by the corporation since the present town clerk has held his office, but it is not disputed that considerable sums were formerly contributed by them for that purpose.

The confirmation furnished by this expensive litigation was perhaps hardly necessary to demonstrate the dissatisfaction that prevails among a very large and respectable body of the inhabitants at the system of self-election thus practised.

The tendency and effect of that system, and the complaints respecting it, will be further noticed hereafter.

Fees on Admission of Freemen.

	£.	s.	d.	
Freemen by birth pay	2	12	–	on admission.
by servitude	3	12	–	
by gift and purchase	6	–	–	

	£.	s.	d.
Of the first sum the corporation receives	–	3	4
Mayor's and sheriff's officers	1	–	11½
Town clerk	–	7	8½
Stamp	1	–	–
£.	2	12	–
Of the second the corporation receives	1	3	4
Mayor's and sheriff's officers	1	–	3
Town clerk	–	8	5
Stamp	1	–	–
£.	3	12	–
Of the third, the fees amount to	3	–	–
Stamp	3	–	–
£.	6	–	–

The number of admissions varies greatly from time to time, according to the expectation of a contested election. Last year there were but two admissions; in 1812, at least 600.

Previous to 1825, the admissions to freedom by purchase might average 50 or 60 yearly.

These admissions have since wholly failed.

There are no fees payable on the admission of any officers of the corporation. They pay for the stamp alone. Fees on Admission of Officers.

The highest Criminal Court is the Crownmote. Courts Criminal, Crownmote.

The mayor is the judge, assisted by the recorder.

The jurisdiction extends throughout the whole limits of the municipality before described.

All offences are cognizable therein, from high treason down to the lowest misdemeanor.

The ordinary process of criminal courts in general prevails in all respects.

The town clerk, as officer of the crownmote, receives a fee of 4*s.* upon each count of every indictment.

It is held thrice every year, with the quarter sessions, generally in March, July and October; viz. previous to each circuit, and on the Thursday before the mayor's election, in October.

CHESTER.

This arrangement is made for the convenience of the recorder and of counsel, by whom it is always attended.

About 40 cases are tried in it yearly.

The expenses of prosecutions are allowed, as usual in other courts, out of the rate for the county of the city.

This court and the portmote being held jointly, the rolls of the two courts are kept together. They are upon parchment, commencing in 1277 and continuing regularly down to 1741.

Court of General Sessions.

The next criminal court in importance is that of the General Sessions.

The charter directs that four aldermen, being justices, shall be present, of whom the mayor and recorder shall be two.

The general sessions here are holden for the trial of prisoners only thrice in the year, with the crown mote and portmote courts, at the times before mentioned.

In January the sessions are holden merely *pro formâ*, and adjourned; but the sessions for the county are holden at the castle of Chester at that time; and counsel attend those sessions, so that there seems to be no sufficient cause for this long postponement of the trial of city prisoners, unless the convenience of the recorder be so considered.

In other respects this court resembles in practice the ordinary courts of quarter sessions elsewhere.

In 1828, April sessions, were tried 18 prisoners, 14 cases.
In 1831, August sessions, were tried 15 prisoners, 13 cases.
In 1833, March sessions, were tried 26 prisoners, 23 cases.

Of course the greatest numbers for trial are usually at the spring sessions, after the long interval from October.

The costs of prosecutions at these sessions, from 25th October 1832 to the 2d August 1833, were 193*l.* 13*s.*

Courts Civil, Portmote Court.

The highest civil court is the Portmote.

The mayor is the judge, assisted by the recorder.

The jurisdiction is co-extensive with that of the Crownmote Court, and exclusive.

The process is either by arrest or serviceable.

A process by attachment, under which goods of a debtor to any amount were seized, without oath or personal service of the writ, was formerly in use by the practice of this court, but has been discontinued since the decision of the case of Williams *v.* Lord Bagot, 3 B. & C. 772, upon a writ of error from the Court of the Lordship of Ruthin, in which court a practice somewhat similar prevailed, and was decided by the Court of King's Bench to be bad in law.

The following are the fees payable in this court:

	s.	*d.*	
For the action	2	–	
Filing declaration	2	–	
Filing plea	2	–	
Judgment	4		
Similiter	1	–	
In cases of arrest, affidavit	1	–	
Record	1	–	per folio.
Jury writs	6	8	
Office copies	–	9	per folio.

Proceedings against the person are very rare in this court; hardly five cases have occurred in 10 years.

But ejectments, and actions brought for the sake of taking vessels in execution in the "Waters of the Dee," are of frequent occurrence.

The costs of proceeding to judgment in this court by default, are within 4*l.* In case of trials, within 10*l.*, exclusive of fees to counsel.

Actions, real or personal, and to any amount, may be brought, and fines and recoveries levied and suffered.

The cost of a common recovery is about 5*l.*, of which 3*l.* 15*s.* for fees.

The cost of a fine passed here 8*l.* or 10*l.*

In point of form this court is held once a fortnight, but adjourned to the periods above stated.

The rolls are on paper books; the earliest extant bearing date 1393.

Pentice, or Sheriffs' Court.

The next civil court in importance is the Pentice or Sheriffs' Court, of which the sheriffs are judges, assisted occasionally by the recorder or town clerk.

The jurisdiction is co-extensive with that of the corporation, excepting the "Waters of Dee."

Personal actions only, but to any amount, are cognizable. The process, by arrest or serviceable.

The courts are held thrice a week on stated days.

New rules, with a Table of Fees, were drawn up in August 1833, the object of which has been to bring the costs within the smallest possible compass, and to give the utmost facility and expedition to the process.

About 200 actions are commenced in it yearly, of which not more than four have ever come to trial; the debt being commonly discharged on service of the summons.

The costs, upon summons only, are about £.1 1 –
upon judgment by default 2 – –
upon trial, without counsel 4 or £.5.

In

In February last 2,000*l.* was recovered by judgment upon a warrant of attorney in this court; the costs were 2*l.* 8*s.* 5*d.*

No poundage is payable upon actions originating in the Portmote or Pentice Courts.

The Pentice Court rolls are paper books, and commence in 1282.

County Court. There is also a County Court established by the governing charter, but used only upon the return of Members to serve in Parliament.

Passage Court. The Passage Court is a sort of branch from the Pentice Court, held every six weeks for the trial of causes originating in the latter; but it is now held, by adjournment, at the sessions, for attendance of counsel.

The rolls are paper books, commencing in 1377 and ending in 1711.

IX. Juries. The course of proceeding here is precisely the same in the selection of Grand and Petty Juries and of the Coroner's Juries; and there is no distinction between criminal and civil cases.

The present town clerk introduced the system in 1816, which has been adopted ever since.

There had previously been great irregularity in the choice and service of jurymen, the sheriff often selecting them, on view merely, *de circumstantibus.*

Previous to the holding of the courts the sheriffs attend at the town clerk's office. He produces to them the jury book, containing a list of all freemen competent to serve on juries, arranged alphabetically.

An entry is made, at the end of the book, of those who have actually attended, with the dates of their attendance; and the sheriffs select, at their discretion, the juries from those who do not appear to have recently served.

It has been the constant usage (though there does not appear to be any law or charter requiring it) to choose the juries from the body of freemen only.

Their numbers are diminishing, from the failure of admissions by gift and purchase; and as those who used so to acquire freedom were commonly the persons best qualified to serve on juries, there is a general impression that it would be desirable in future not to confine the choice to the body of freemen.

Bankers, merchants, and the most respectable shopkeepers constitute the grand juries. Common councilmen serve upon them.

The "single" aldermen would be eligible, and have served heretofore on special juries.

The petty juries are taken from the lesser shopkeepers and master tradesmen.

Two grand juries are selected in each year; one of them, of course, serving two sessions.

There are about 105 persons qualified to serve on grand juries, and 25 are summoned.

On the petty jury list there are 108 names; and there may probably be 100 now qualified to serve.

Of these 30 are summoned, to secure two juries: so that, 60 being summoned yearly, the attendance of each juryman recurs about once in 18 months.

Thus the petty jury have to serve thrice the number of times that the grand jury serve; and their attendance occupies them three days instead of one.

The same pannel serves indiscriminately in civil and criminal cases.

The arduous nature of the duties and frequent attendances required, exclusively falling on the freemen, have been the subject of complaint, and difficulties have occasionally occurred in assembling a jury.

They are paid as usual, and there were no complaints as to their selection or conduct.

X. Local Police. The Local Police are appointed by the mayor, who, on the Monday after his election, nominates from 36 to 50 "ward constables."

These are distributed among the wards according to exigencies.

There are, besides, nine special constables, including the superintendent of police, city gaoler, turnkey, constable of the market and mayor's porter.

The superintendent of police has 30*l.* a year from the corporation, in addition to the same sum from the commissioners of police.

The keeper of the gaol has a salary of 100*l.* a year, 80*l.* from the corporation, 20*l.* from the county rate. He is keeper of the house of correction for the county as well as of the city gaol.

The turnkey has 52*l.* a year out of the rate levied in pursuance of the Police Act.

The mayor's porter has 50*l.* a year from the corporation.

The market constable has 1*l.* 1*s.* a week from the same.

The police constable has 14*s.* a week from the police and 6*s.* a week from the corporation.

The beadle has 14*s.* a week from the corporation.

The ward constables have no fees or emoluments.

The old ward constables, if willing to serve, are kept on the list; if not, they name three other persons, from whom the mayor, under the advice of the superintendent of the police, nominates one.

Sufficiency of this force. This constabulary force has been found sufficient, on ordinary occasions, for preservation of the peace; but special constables have been sworn in at elections: about 40 at the last election.

Sittings. The mayor and aldermen, who are justices, sit every day at the exchange as police magistrates.

Petty sessions are held twice a week by the same justices. Four or five commonly attend.

There are at present 15 qualified on the list; but, from absence or indisposition, from five to seven only could have been convened at the date of the inquiry.

There has never been any delay of justice from the absence of magistrates.

Poor. The Poor of the city are under the management of guardians, incorporated by a Local Act passed in 1762, amended by a subsequent Act of 44 Geo. III. The mayor, recorder and

CHESTER.

aldermen, being justices for the time being, are among the guardians. The corporation, as such, do not interfere. The other guardians, 74 in number, are appointed annually; from each parish a certain number.

The members of the corporation, who are *ex officio* guardians, seldom attend, and are exempted by the Act from penalties for non-attendance. Very minute and regular reports and statements are made, annually, of the proceedings and expenditure of funds under the provisions of these Acts. The Report for the year ending 28th March 1833 is sent herewith, together with the Acts of Parliament.

Paving, lighting, &c.

The same Act of 2 Geo. III. provides for the paving, lighting, watching and cleansing the streets, rows and passages of the city. It was amended by an Act 44 Geo. III.

Most members of the select body of the corporation are, in fact, commissioners of police, though not by virtue of their office.

XI. Gaols.

There are two Gaols within the liberties, viz., the city gaol and house of correction.

The former was built wholly at the corporation expense in 1808; the latter by a rate on the city.

They are under the management of the same gaoler and turnkey, being contiguous and communicating with each other.

Costs of Erection.

Both were built, and have since undergone alterations, with a view to the classification of prisoners. These improvements were carried into effect by estimate, tender and contract. The architects, as well as the persons who took the contracts, were wholly unconnected with the corporation.

Visiting Justices.

The mayor and three senior aldermen are the Visiting Magistrates, which duty they perform periodically. There were no complaints of the state or management of the gaol, which is remarkable for its clean and orderly regulation, as well as for its healthful and airy situation.

Grand Jury visiting Gaol.

The Grand Jury visit the gaol every sessions, and furnish a report in writing to the magistrates; these reports have been uniformly favourable, and have particularly borne testimony to the cleanliness of the gaol.

Discipline.

There is not a sufficient force of prisoners to call for the erection of a tread-mill; they are employed in shops set apart for picking oakum and sawing wood.

Salaries.

The chaplain has 50 *l.* a year from the corporation, and the like sum from the county rate.
The surgeon 30 *l.* a year, and provides medicines.
The matron 30 *l.* a year.
The gaoler has been 10 years in office.

Prisoners.

On the 7th September 1833, there were in custody—
Six prisoners under sentence ("serving time.")
Seven for trial on charges of felony, viz. four men and three women.
Four for trial on charges of assault.
Two for disobedience of orders in bastardy, and
Two debtors.
There were 58 prisoners altogether in March; 69 on the 13th May.
The gaol delivery was on the 2d August.

XII. Fines on Members.

There is a Fine of 6*s.* 8*d.* upon members of the select body for non-attendance on the charter day; but no instance is recollected of its being enforced.

A fine of 100 *l.* for refusing to take the office of mayor; not enforced in living memory.

A fine of 50 *l.* for refusing to take the office of sheriff or common councilman; in both instances occasionally enforced; in the latter about seven years ago.

These fines are imposed by bye-laws of the corporation, and the imposition of them had never been resisted.

XIII. Amount of Receipts.

The gross Receipt of the corporation, for the year ending 10th October 1832, amounted to 3,900 *l.* 9*s.* But this comprises every head of income, contingent as well as fixed.

The items classed by the accomptant under the head of fixed receipts are the following:—

Income.

	£.	s.	d.
Rental of houses and lands	1,541	1	11
Leys of cattle upon the Roo Dee	387	12	–
Admissions of freemen by birth	1	3	4
by indenture	9	6	8
Rents of markets—Flesh shambles	662	16	6
Green market	46	6	7
Fish market	103	7	5
Mug market	13	6	2
Fowl market	32	18	11
Butter market	69	18	–
Potatoe market	15	15	–
of stands in the Exchange	57	14	–
As contingent, the following:			
Contingent receipts of various kinds	902	12	6
Prisage on wine	56	–	–
£.	3,900	9	–

Of

CHESTER.

Houses and Lands.

Of the first item, the proportion arising from houses and chief rents, within the liberties, amounts to about - - - - - - - - - - - £. 874 – –
From lands, without the liberties - - - - - - - - 666 – –

Shordlay Estate.

The largest estate of the corporation is at Shordlay, in the county of Flint; it is let, from year to year, at a rent of 300 *l.* to a tenant, who succeeded to his father in the farm, and himself has occupied it eight years.
Neither of them had any other connexion with the corporation, whose surveyor was consulted upon re-letting the farm.

Hope Estate.

The corporation have an estate at Hope, in the county of Flint, let from year to year at 42 *l.*; for which they have been under the necessity of distraining.

Guilden Sutton Freehold.

They have also lands at Guilden Sutton, four miles from Chester, let from year to year at 45 *l.* These were re-let by auction three years ago.
There are other lands at the same place, out of which a yearly rent of 22 *l.* is payable to the corporation. These lands are now held by the Rev. Rowland Egerton Warburton; they are supposed to have been leased about 120 or 130 years ago for a term of 999 years; but although the strictest inquiry and search was said to have been made by the late and present town clerks, no document relating to this estate has been discovered, nor have they any plan or schedule of it; so that the extent of the property, and the origin and conditions of the lease are equally unknown. The fact is by no means auspicious for the character of the corporate body of that day, that this lease was granted to a recorder of the city, Roger Comberbach, at a time when his own father was the town-clerk. Mr. Warburton, in whom the lease is now vested, holds adjoining lands in his own right, and this lease in right of his wife, who was the representative of the Comberbachs.

Iscoyd Estate.

The corporation have also an estate at Iscoyd, in the county of Denbigh, let to several tenants, at yearly rents, amounting in the whole to 131 *l.* These lands were let by auction 16 or 17 years ago; and the rents have been reduced to that amount after survey.

Tithes of Hope.

They are also entitled to one-sixth and one-third of another one-sixth of the rectorial tithes of the parish of Hope aforesaid.
The other parties entitled to shares of these tithes, are,—1. The rector. 2. The vicar. 3. The dean and chapter of Winchester.
The agents of the several parties meet annually in June, draw lots for the several townships, and then let their respective lots by auction. That of the corporation let last year for 180 *l.*

Waste let to Guardians of Poor.

About 15 acres of Waste Land were let in 1830, upon a lease which will expire in 1862, to the Guardians of the Poor, at the yearly rent of 31 *l.* 10 *s.* They have already expended 1,400 *l.* in building on it.

House of Industry.

They also hold the House of Industry on the Roo Dee, under the corporation, at the rent of 90 *l.* fixed by Act of Parliament, for a term of 100 years.

Field.

And they take of the corporation, from year to year, a Field adjoining, at the rent of 52 *l.* 10 *s.*

Houses.

There are two Houses having shops in the city, formerly held under long leases from the corporation, at the yearly rent of 78 *l.* These leases expired last year; but the same tenants have been continued, and hold from year to year at the old rent, which is considered ample.
The like continuance of former rent has taken place with respect to a dwelling-house let to Mr. Green at 25 *l.*, from year to year. He is not connected with the corporation.
And it may be observed generally, respecting the leases made by the present corporation, that they appear to have been granted fairly, and upon terms and provisions most likely to conduce to the improvement of their property.
The same remark by no means applies to the corporation of past times; they appear to have granted most of the houses upon very long leases, reserving merely nominal rents; some of the houses are of very considerable value.

Leys on Roo Dee.

The Leys are stints of cattle leased on a pasture called the Roo Dee, containing about 70 acres, the place of Chester race course. They are let out according to certain fixed rates, regulated by the season of the year, to all persons indiscriminately who apply to take them. The rates seem sufficiently high. Half the stipulated price is taken in advance.

Grand Stand.

The corporation permitted a Grand Stand to be erected on the race course, by subscription of the neighbouring gentry, (to which they contributed themselves,) reserving a nominal rent of 10 *s.* upon a demise for three lives. The building and improvements have cost 4,000 *l.*

Rope-walk.

A Rope-walk upon the Roo Dee is let by the corporation, from year to year, at 20 *l.* to Mr. W. S. Clarke, a stranger to them.

Rents of Markets, how raised.

The Shambles are let weekly upon the market day, in standings, at from 1 *s.* to 3 *s.* There are about 120, and they are generally taken by country butchers: they are open and may be occupied by the takers every day in the week.
They were built in 1827, at a cost of above 4,000 *l.*, which was borne wholly by the corporation. All the stands are not let, and any tenants are gladly accepted.
All the other markets and the stands in the Exchange are let in the same way; the latter are opened on Saturdays only for the sale of various commodities.

Contingent Receipts, Tolls.

Under the head of Contingent Receipts are comprised all the Tolls, and, among the rest, (not very accurately) a sum of 200 *l.* payable annually, under the Bridge Act, by the Commissioners

CHESTER.

missioners to the corporation, as rent of the Dee Bridge, in lieu of the tolls formerly taken there. These tolls had been once let for 400*l.*, but the rent was not duly paid; and the Act relieved the corporation from the repairs of the bridge.

The other tolls (of which a table is returned herewith) are collected at three gates. At the north gate 57*l.* 7*s.* 3*d.*, east gate 5*l.* 5*s.* 5*d.*, water gate 16*l.*; these were the sums produced in the year ending 10th October 1832.

Weighing Machine.

A Machine for weighing coals, which have always been sold by weight in Chester, has been erected by the corporation at the new bridge. This they keep in hand, charging 4*d.* upon waggons, 2*d.* on carts. It produced in that year 99*l.*

Brick Ground.

Hough Green, a piece of waste ground within the liberties, is let out to brick-makers, at 1*s.* 6*d.* for every 1,000 bricks manufactured. It produced 56*l.*

Prisage on Wine.

The Prisage on Wine, which in former times has raised from 200*l.* to 300*l.* a year, has fallen off to the present amount (56*l.*) since the removal of that duty in the port of Liverpool; and would decline still farther if the tax were continued. It is therefore in contemplation, for the sake of the trade of Chester, to withdraw it altogether.

It consists of a duty of 17*l.* 14*s.* on every cargo of wine (whatever the quantity), and a dozen bottles of the wine.

At Liverpool it used formerly to be about 70*l.* per cargo, but was wholly removed about 12 months previous to the inquiry.

Disbursements.

The Disbursements of the year were classed as follows:—

	£.	s.	d.
Officers' fees, rents, &c.	2,043	5	4½
Sundry legacies	252	5	8
Contingent disbursements	2,009	8	8
Taxes and other disbursements on account of the Leys and Roo Dee	115	15	3
Disbursements on account of St. John's Hospital	135	2	6½
	4,555	17	6

Under the first head of disbursements the following items are included:—

Crown Rent.

The ancient fee-farm rent, reduced by the charter of 1st Henry VII. from 100*l.* to 20*l.* This is now payable to the Marquis of Westminster, who purchased from the Crown.

City Plate.

Sixty guineas given at the races as the city plate.

Interest due on Mortgage to Trustees of Owen Jones's Charity.

The sum of 425*l.* 12*s.*, being the yearly interest due from the corporation, upon mortgage of the corporate property, to the mayor and sheriffs of Chester for the time being, as trustees of Owen Jones's charity. These trustees hold certain lands in the counties of Chester and Denbigh, under the will of Owen Jones, in trust for the poor brethren of the 24 companies of the city, in succession for ever, commencing with the Tanners' Company.

About the year 1760, a lead mine was discovered in the estate at Minera, in the county of Denbigh, parcel of these lands; a large sum of money was accumulated from the proceeds of the mine, and the trustees for the time being agreed to advance to the corporation of Chester, (of which they were themselves members,) upon mortgage of the corporate property, several sums of money amounting in the whole to 10,640*l.* Of this sum, the corporation invested 2,000*l.*, about the year 1770, in shares of the Chester and Nantwych Canal Company. This became a total loss; and as to the residue of the 10,640*l.*, their successors are not even informed in what manner it was absorbed or appropriated; the principal has disappeared; the charge alone remains. There is nothing in existence from which it can be inferred that the money was applied in any manner for the advantage or improvement of the city.

Application of the proceeds of Owen Jones's Charity.

The application by the trustees of the interest arising from this large sum of money became the subject of inquiry about the year 1806, in consequence of the active exertions of the Rev. Mr. Massey, the incumbent of St. John's Church, Chester; the members of the incorporated companies having, previously to that time, whether rich or poor, in defiance of the will of the founder, indiscriminately divided among themselves the yearly proceeds of the charity. A bill was filed in Chancery in that year, and a decree obtained, by which the proceeds are made distributable among the poor brethren of the several companies in rotation; but the abuse of this charitable donation, though diminished in consequence of the decree, is by no means extinguished: portions of the trust-money are still bestowed occasionally upon persons in affluent circumstances, to the exclusion of poorer brethren; and the system prescribed, of distributing among the several companies in rotation, has given rise to corrupt and exclusive practices in the admission of members to those companies.

Allowance to decayed Mayors.

Another disbursement worthy of remark is an allowance of 50*l.* per annum to a gentleman, who, having formerly served the office of mayor, has since unfortunately fallen into decayed circumstances; a similar instance has occurred once before in the recollection of the present town clerk, and it is understood not to have been previously without precedent: this species of gratuity has never been extended to any subordinate officer.

Cook.

The city Cook is rewarded with ten guineas for his services in the preparation of one dinner annually.

Blue-coat School.

The corporation make an annual donation of 21*l.* in support of a very useful establishment, the Blue-coat School in Chester; and they contribute annually a voluntary benefaction of 25 guineas to the master of the school.

A sum

A sum of 80 *l.* is paid annually by the corporation to the same school, and is assumed to be due as interest upon mortgage of the corporate property for the sum of 1,600 *l.*; but there was no other evidence stated to warrant this assumption than the tradition of the town clerk's office; which seems extraordinary, inasmuch as the school was only founded in the beginning of the last century. The school has lands of its own in the neighbourhood of Chester.

Legacies.

Under the head of Disbursements have been classed also certain annual payments, the consideration of which must carry with it the severest censure upon the conduct of the corporation in former times.

Several landed estates have been at various times devised to the corporation, upon trust to pay thereout specific legacies and annual bequests. These are all for charitable purposes; and they range from 43 *l.* per annum down to 1 *l.* They are almost exclusively payable to persons free of the city of Chester.

In a few instances, the lands devised remain the property of the corporation, as at Shordley, Hope, Owen and Iscoyd; in very many they have been alienated; the only vestige of the donor's bounty being the charge upon the corporate property generally.

Brereton's Legacy.

Thus John Brereton's Legacy was a sum of 6 *l.* 13 *s.* 4 *d.* made payable annually to charitable objects, out of a close at Fluker's Brook, which was devised in 1681 to the mayor and citizens of Chester for that purpose. The only trace of the corporate property in this close during living memory has been (what is here termed) a Chief-rent, issuing out of it, of the precise amount of 6 *l.* 13 *s.* 4 *d.*

Chief-rents.

This was sold by the corporation about five years ago, and several other of these chief-rents also, upon the usual terms of 20 years' purchase, for the purpose of raising money to build the new markets. Diligent search was previously made, without effect, to ascertain whether the fee-simple of the land was in the corporation; but, although receipts have for many years been given for this payment as a "chief-rent," there cannot be a reasonable doubt that the identical land out of which it issued was that devised by Brereton, and that it has been, at some former period, alienated by the corporation.

Guilden Sutton Chief rent.

Another of these "chief-rents," sold about the same time by the corporation, at 20 years' purchase, was issuing out of lands at Guilden Sutton (not within the liberties of the city). It amounted to 17 *l.* 13 *s.* 4 *d.*, and was sold for 353 *l.* 6 *s.* 8 *d.* The estate upon which it was charged was freehold, and of the value of between 2,000 *l.* and 3,000 *l.*

In some instances, these chief-rents appear to have had their origin in the granting out of small portions of the waste, within the liberties of the city, by the corporation, for building scites, frontsteads, &c., reserving small rents. But this cannot have been the origin of the above-mentioned rents, issuing out of distant lands.

There have been, in the present town clerk's time, about 10 or 12 sales of chief-rents, all upon the terms specified above.

The rent-rolls of the corporation do not distinguish chief-rents from other rents. They have been kept on parchment for two or three centuries, and are called "ministers' rolls."

Contingent Disbursements.

Under the head of Contingent Disbursements there does not appear to be any item requiring particular notice.

Disbursements on account of St. John's Hospital. Crewe's Charity.

Joseph Crewe, surgeon and alderman of Chester, by his will, dated 19th April 1799, left 600 *l.* in trust, to pay over the interest, amounting to 30 *l.* annually, to six chapel-yard widows of St. John's Hospital. This, with 120 *l.* additional, the interest of which is applicable to the relief of an aged citizen, was carried to the chest of the corporation, who are chargeable with payment, according to the will of the testator.

Funds by whom received.

The corporation Funds are received nominally by the treasurer, but actually by the town clerk, who exclusively keeps the accounts. The treasurers, however, audit, examine and sign them.

Audit Committee.

There is a Committee, consisting, generally, of two, three or four aldermen and common councilmen, appointed annually by the corporation to audit the accounts. They examine the original bills, go through every item, and sign the book. If the amount of any bill is disputed, the town clerk refers it to the committee previous to its being paid; afterwards it is audited by them in the general account, which remains among the muniments of the corporation.

Inspection of Accounts.

All members of the select body are permitted to inspect the Accounts; but no instance of any application to inspect them has occurred, nor would any freeman or stranger be permitted to inspect them if such application were made by him.

Debt.

It would appear that the Debt of the corporation consists of the following items:—

	£.	s.	d.
1. The amount due to the trustees of Owen Jones's charity	10,640	–	–
Upon which the annual charge (as before mentioned) is	425	12	–
2. Crewe's legacy above mentioned	720	–	–
Upon which annual charge is	36	–	–
3. Blue-coat School mortgage	1,600	–	–
Upon which annual charge is	80	–	–
Sundry legacies, payable annually	252	5	8

The lands upon which these legacies are charged have been alienated by the corporation from time to time as above mentioned. The principal money, taking these legacies as a

CHESTER.

charge at 5 *l.* per cent. on the corporate estates, would amount to 5,045 *l.* 13 *s.* 4 *d.*, which must be added as an item to the corporation debt, which will then stand as follows:—

	PRINCIPAL.			INTEREST.		
	£.	s.	d.	£	s.	d.
To the trustees of Jones's charity - -	10,640	–	–	425	12	–
Crewe's legacy - - - - -	720	–	–	36	–	–
Blue-coat School debt - - - -	1,600	–	–	80	–	–
Sundry legacies - - - - -	5,045	13	4	252	5	8
£.	18,005	13	4	793	17	8

The expenditure in last year exceeded the income about 500 *l.*, an excess not arising from ordinary charges, but from sums expended for the improvement and advantage of the town, such as the erection of a weighing-machine house at the new bridge, &c. The income also of the last year was unusually low.

Average Receipts and Disbursements.

The amounts of the Receipts and Disbursements of the corporation for the three antecedent years have been given, in gross, as follows:—

YEARS.	RECEIPTS.			DISBURSEMENTS.		
	£.	s.	d.	£.	s.	d.
1828–29 - - -	4,387	7	4	4,250	3	4 ½
1829–30 - - -	3,821	15	8	3,612	4	1
1830–31 - - -	3,999	1	9	3,838	–	5

Complaints.

Among the grounds of complaint against the corporation, the most prominent were the state of ignorance in which the respectable inhabitants of the town have been kept as to the distribution of the corporate funds, and the absence of all control over their expenditure. How reasonable and well-founded the complaints were, may be inferred from the foregoing statement, especially respecting the charity monies. The large sums expended in litigation about their exclusive privileges, admitted to have amounted, on the part of the corporation, to above 1,100 *l.*, and on the whole (as before stated) to about 20,000 *l.* in the last 20 years, are considered to furnish ample justification for the dissatisfaction prevalent as to the present mode of electing the officers of the corporation.

The inhabitants complain that from 1807 to 1829 the persons selected to fill up the corporate body were exclusively from one party, and that highly respectable men, who had been put in nomination as well for the office of police commissioners as for corporate offices, were rejected on purely political grounds.

The prevalence of this feeling led to the presentation of a petition to the House of Commons in February 1833, signed by about 2,400 inhabitants, many of them persons of the first respectability, complaining of the present mode of choosing the select body. Several instances were adduced in which individuals, who had voted contrary to the wishes of the corporation at the election of representatives to serve the city of Chester in Parliament, were passed over, or, according to their familiar bye-word, "shelfed," when, in the ordinary course of rotation, they should have been advanced to corporate offices. This state of things is represented to have continued down to the year 1829, when the influence before that time exercised by the Marquis of Westminster over the affairs of the corporation was avowedly discontinued. The decided opinion of a respectable portion of the inhabitants was, that it would tend greatly to increase the confidence of the citizens in the corporation if the more popular mode of election prescribed by the charter of Henry VII. were adhered to. Besides the control over the management of the corporate estates, it was stated that it might be expected to insure greater impartiality in the appointment of officers, and greater facilities for the commerce of the city, which was represented to have suffered greatly from the illiberality of the corporation.

The corrupt manner in which freedoms were granted and withheld previous to 1829, formed another subject of apparently just complaint. A memorable instance occurred in 1819, when a large body of freemen, nearly all on one side in politics, had been admitted with a view to the election of the mayor; a prospect of a contested election of members to serve the city in Parliament occurring shortly afterwards, about 40 persons in the adverse interest, entitled to their freedom, applied to be admitted in March 1820; the mayor, Mr. John Williamson, first refused to admit them, and then absented himself from the city for the purpose of defeating their rights. The result of the election is represented to have been altered by his delinquency. A criminal information was filed against him, upon which a conviction ensued, and he was sentenced to six months' imprisonment, and to pay a fine of 1,000 *l.*

These are examples only of the complaints urged against the system of self-election in this city; a portion of the invariable consequences of such a system, and a sample of the corruptions, animosities and divisions which are every where its natural fruits.

Beside

Besides the distribution of the several charities already referred to under the head of Property, and which are more strictly the subject of a different inquiry, the corporation have the gift of the chaplainship of St. John's hospital. The present chaplain, the Rev. W. Clarke, was appointed in 1828: he has a salary from the corporation of 50*l.* a year. With pew-rents, and the aid of Queen Anne's Bounty, this preferment produces about 130*l.* a year. The same clergyman has held the chaplainship of the gaol, under the gift of the corporation, two or three years longer. That of St. John's hospital was closely contested between the present incumbent, who was not related to any member of the corporation, and a son of the present recorder. XIV. Patronage.

The Local Acts relating exclusively to the city of Chester are— XV. Local Acts of Parliament.

2 Geo. III. entitled, "An Act for the better regulating the Poor, maintaining a Nightly Watch, lighting, paving and cleaning the Streets, Rows and Passages, providing Fire-engines and Fire-men, and regulating the Hackney Coachmen, Chairmen, Carmen and Porters within the city of Chester."

44 Geo. III. entitled, "An Act to amend, alter and enlarge the powers of an Act passed in the second year of the reign of his present Majesty, so far as the same relates to maintaining a Nightly Watch and lighting and cleaning the Streets, Rows and Passages within the city of Chester; and for preventing Nuisances and Annoyances in the Streets, Rows and Passages within the said city; and for regulating and improving the Police thereof."

7 Geo. IV. entitled, "An Act for better supplying the Inhabitants of the city of Chester with Water."

The professed object of the latter Act, under which the rates were raised 50 per cent., was to procure purer water from a higher part of the town; but the supply of water is said to have been continued from the same source as before, to the great dissatisfaction of the inhabitants.

The new bridge over the river Dee, recently completed, was built under the provisions of a local Act, a copy of which was not procured.

The commerce of the city has been long declining, and is now almost absorbed in the prosperous state of Liverpool. XVI. General State and Prospects.

Primarily, this must perhaps be attributed to natural causes. The "ruinous state of the city and haven" in the time of Richard II., and the "lamentable decay of the port by reason of the abundance of sand which had been allowed to choke up the creek" in the reign of Henry VI., have been already noticed. The attempts to obviate these evils by new channels, &c. have been of little avail; but other and more recent causes must have operated in withdrawing the trade in Irish linen, for promoting which, about 60 years ago, the Irish merchants trading to Chester established a cloth-hall, and transacted business largely there; yet at the last annual fair in July, every shop was vacated.

In agricultural prosperity, however, there appears to have been a comparative advancement, and in the cheese trade increased activity. There are now eight cheese fairs annually.

The Poor-rates, considering the population and circumstances of the town, are not very heavy; there are eight or nine collections in the year, raising about 3*s.* in the pound on the rack-rent; a trifling increase has taken place of late. Poor-rates.

It is represented, and would appear upon the whole, that no town can be better provided than Chester with the means of educating the children of the poor; there are the following schools: Education.

1. The oldest is the King's school, attached to the cathedral: there are 24 scholars on the foundation, nominated by the Dean and Chapter; instances have occurred of the nomination of the children of dissenters; there are also about 20 day-scholars.

2. The Blue-coat hospital, for the children of poor parents, recommended by subscribers: there are 28 blue boys, and about forty green caps. The same institution has a school for girls, with about the same number.

3. The Marquis of Westminster's school, for about 400 to 450 boys and girls, all day-scholars; educated at the sole expense of the Patron.

4. The Diocesan school, supported by subscription; a day-school for near 150 boys.

5. Three Infant schools, supported by voluntary contribution, with about 50 children in each.

There are besides several large schools belonging to dissenting congregations of different denominations, and Sunday schools in every parish.

There has been a great increase in the number of houses since the census of 1821; many of the middle and lower classes have gone to reside without the walls of the city, and in general their comforts are stated to be considerably augmented. Habitations of Poor.

The Beer Act is stated to have promoted drunkenness and every kind of mischief, and to have been attended with the most pernicious consequences. At the last licensing day there Beer Act.

CHESTER.

were about 170 licenses granted, exclusive of the beer-shops: formerly there were great complaints of partiality exercised, on political grounds, by the licensing magistrates; but no such case has been shown to have lately occurred.

Jurisdiction.

The local Jurisdiction of the justices is very compact and accessible, with the exception of the "waters of the Dee;" and from that extended jurisdiction no inconvenience has been found to occur in practice. Nor would there be any advantage in extending the jurisdiction to any other place; as there is no neighbouring town in which offenders have facilities for evading justice.

Statute Acres.

1. English Statute Acres, 3,010.

Population.

2. Population:

1801	15,052
1811	16,140
1821	19,949
1831 - Males, 9,635; Females, 11,709: Total	21,344

Occupations; viz.

Families employed in agriculture	355
Ditto - do. - trade, manufactures, &c.	2,665
Ditto, not comprised in above classes	1,608

Annual Value of Real Property.

3. Annual Value of Real Property, 1815, 55,966*l.*

Assessed Taxes.

4. Assessed Taxes for years ending 5 April

	£.	s.	d.
1829	7,799	19	5
1830	7,798	10	1½
1831	7,732	4	1½

Parochial Assessment.

5. Parochial Assessment for years ending 25th March

	£.	s.	d.
1825	4,572	10	–
1829	4,850	1	–

Number of Houses.

6. Number of Houses in 1830:

10*l.* and under 20*l.* rent	536
20*l.* and under 40*l.*	347
40*l.* and upwards	157
Total of 10*l.* and upwards	1,040

Number of Electors.

7. Number of Electors registered under new Act in 1832:

Freemen	1,379
Scot and lot voters	649
	2,028

Incorporated Trades.

In addition to the corporation of the city at large, there are 24 companies called the Trades; viz.

	Stewards.
1. Tanners	Mr. John Andres.
2. Merchant Drapers and Hosiers	„ Alderman Francis.
3. Brewers	„ Ellis Jones.
4. Barbers, Surgeons, Wax and Tallow Chandlers	„ Samuel Wade.
5. Cappers, Pinners, Wire Drawers and Linen Drapers	„ Thomas Bowers.
6. Bricklayers	„ William Woods.
7. Carpenters, Slaters and Sawyers	„ George Bowden.
8. Joiners, Carvers and Tanners	„ John Royle.
9. Painters, Glaziers, Embroiderers and Stationers	„ Thomas Ellis.
10. Goldsmiths	„ John Walker.
11. Smiths, Cutlers, Cardmakers and Plumbers	„ J. Chesters.
12. Butchers	„ H. Rowe.
13. Wet and Dry Glovers	„ Richard Baxter.
14. Cordwainers	„ Benjamin Jones.
15. Bakers	„ W. Ralphs.

16. Fletchers,

16. Fletchers, Bowyers, Coopers and Stringers - - Mr. R. Thomas.
17. Grocers, Ironmongers, Mercers and Apothecaries - „ — Meacock.
18. Innholders, Cooks and Victuallers - - - „ W. Lawson.
19. Skinners and Feltmakers - - - - - „ A. Booth.
20. Saddlers and Curriers - - - - - „ — Jones.
21. Merchant Tailors - - - - - - „ — Meakin.
22. Clothworkers and Masons - - - - „ T. Haswell.
23. Weavers - - - - - - - - - „ Joseph Ridgway.
24. Fishmongers and Dyers (extinct.)

These all claim to be and are esteemed corporations by prescription.

Tanners.

The Company of Tanners consists at present of ten members; there were the same number in 1812. The fees on admission were 12*l.* 6*s.* 8*d.* by servitude, and for the free-born only 2*l.* 13*s.* 4*d.*, they were never lower within living memory; no free-born brethren have been admitted since 1812. No persons have been forced into this company.

They meet once a year in an inn. They have a banner, their seal and four books, the oldest, commencing with the year 1657, were produced. They have no charters, all having been lost. An old member of the company had formerly seen a box of parchments belonging to them. A right of way through a field to the River Dee was sold by them two years since for 5*l.* to Colonel Barnston, to whom it was an annoyance.

Merchant Drapers and Hosiers.

There are only two members at the present day of the ancient Company of Merchant Drapers and Hosiers; viz. Mr. Thomas Francis (the deputy mayor) and another of the aldermen of the corporation. The company has no charter, nor any property, real or personal. They hold no meetings, and the books are without entries for the last 20 years.

The seal of the company and two ancient books were produced as their only remaining muniments. The books contain the oaths of the different officers and members of the company, and various entries neatly kept and in good preservation. The earliest entry is in 1639; but there is reference to an entry in some other (lost) book of the company in 1562.

Brewers.

The Company of Brewers has only three members, there have been three or four for the last 30 years. The books show that there were ten in 1765, thirteen in 1753, and forty in 1689. The officers are a master and two wardens; the master is the only resident member. The fee on admission, besides the stamp, is 3*s.* 4*d.* and a free-gift of 5*l.* 16*s.* 8*d.* The same free-gift has long been made; the present master paid it in 1816; the last admission was on the 10th January 1827. To this company, as indeed to all the rest, freemen of Chester can alone be admitted. They have a banner, which was last displayed, together with those of the other trades, on the accession of his present Majesty. The seal and several books were produced and a royal charter, dated 16th September, 10th Charles I., which constitutes them a body corporate and politic, by the name of the master, two wardens and community of the mystery or art of Brewers of the city of Chester; they are deemed, nevertheless, as well as the other companies, a corporation by prescription. The various privileges granted by the charter have fallen into disuse, nor have they of late interfered in restraint of trade. An old proclamation, without date, was produced, prohibiting persons not free of the company from brewing for sale. In 1730 is an entry in their books of the submission of Elizabeth Woolstenholme, a brewer of Neston, a place without the liberties of the city of Chester, to the orders of the company. The copy of a bill filed in 1731, in the Exchequer at Chester, was produced, and of the demurrer thereto. Leadbeater *v.* Hulston and others;—The plaintiff prays to be relieved from an action in the Portmote Court, brought against him for exercising the trade of distiller in Chester, by the defendants, as master, &c. of the Brewers Company. On the 19th March 1758 there is a resolution in the books to bear the expenses of prosecuting John Ireland, who submitted and was admitted a brother on the 3d February 1761; this is the last instance of their activity; before that period examples of the assertion of their monopoly are very frequent. The last time the company regulated the price of ale and table beer in Chester was in 1762; the regulation in this, as in every other instance, was effected in raising it; there was not a single entry to show that they had ever exercised their privilege of lowering the price. The last penalty on a brother for non-attendance, a penalty of 5*s.*, was imposed in 1765. They have no corporate property whatever. Richard Harrison bequeathed to this company, in 1685, 100*l.*, "to be set forth at interest at 5 per cent. on good security, 40*s.* to be paid yearly from the interest to the poor of the company." There is an entry of 42*l.* in the audit of 1686, "for stock and interest," as if 60*l.* of the legacy had been immediately consumed or divided.

Barbers, Surgeons and Chandlers.

The Company of "Barbers, Surgeons, Wax and Tallow-Chandlers," had five brethren in 1813; there are now seven resident and two non-resident members. In 1715 there were 58 members. It was stated that the usual fee for the admission of apprentices and free-born sons is 1*l.*; it seems, however, to have varied greatly. In 1813, 4*l.* exclusive of the stamp; on the last admission in November 1832, 6*l.* and the stamp; and in 1735 as much as 15*l.* were paid; and the last sum was paid in other instances. The variation was explained by one of the aldermen of the company, who said, "Our maxim has been to raise the

CHESTER.

fee, as Owen Jones's charity comes round." No charters were shown, but in an old book were copies of two writings, one without date there called "charter the first;" the other styled "the later charter," is a confirmation of certain bye-laws by the mayor, &c. of Chester in the time of Edward VI. The company, however, is considered a corporation by prescription. The earliest record in their books of any meeting of the company is on the 2d July 1606; they have no seal, but a common seal is mentioned, it is said, in their books. They have two banners, one of the barbers and one of the chandlers; the surgeons had a third, which was lost within living memory. The company has two aldermen and two stewards, but no property. They formerly used the upper part of an old building on the walls of the city, called the Phœnix Tower, as a meeting-house or common-hall. From an entry in their books, dated July 27th 1680, it appears that this company, with the company of painters, glaziers, embroiderers and stationers, had built that tower from the foundations in 1612, and agreed to receive in alternate years the rent payable for the use of the lower part of the tower by two other companies, (viz. the butchers and the fletchers, &c.) by whom that part was used as a meeting-house. The book also shows that this company and the "painters, &c." repaired the Phœnix Tower and the city walls adjoining at their joint expense, and paid a rent of 2*s.* yearly to the city on account of the tower. This company has never interfered with persons exercising any of their trades.

Cappers, Pinners, Wiredrawers and Linen Drapers.

The Cappers, Pinners, Wire-drawers and Linen Drapers, have at present one resident and one non-resident brother, the latter being the uncle of the former. In 1819 there were six members, and in 1680 there were 22. The fee in 1819 was 3*l.* exclusive of the stamp; it was at one time 3*l.*, then 5*l.*, and then 3*l.* again for free-born sons; for apprentices 5*l.*, and for citizens not entitled either by birth or servitude, 10*l.* A charter of the mayor, aldermen and common council of the city of Chester in English, under the seal of the city, dated 4th October, 6 Edward VI. was produced, which professes to incorporate the Company of Linen Drapers, and makes those a whole and full occupation. A bond in Latin, dated 10th December 1708 was shown, with a condition in English, that the obligor would not exercise in Chester under a penalty of 10*l.*, the trade of the Company of Linen Drapers, which the recitals state to be a corporation by prescription. The books do not show any later instance of molestation. There has been no meeting of this company since 1819: they have no property, no hall, one banner; there are impressions of their seal in the books, but it has not been seen since about six years ago, when a fire happened in the warehouse where the muniments of the company were kept; one book also was then lost; eight were produced. The names of the aldermen, stewards and the rest of the brethren, are given in a book, 10th December 1602.

Bricklayers.

The Bricklayers meet twice a year at inns; they are now 11, and were 17 about 13 years ago, when 10*l.* was paid for admission by servitude: about 12 months since a free-born man paid 7*l.* 10*s.* They have no charter, no seal, no property, no banner; respecting the last, however, there were some traditions, and one old book was produced. The brethren enter freely; and no threats have ever been used to compel admissions.

Carpenters, Slaters and Sawyers.

Of the Carpenters, Slaters and Sawyers, there are at present 21 or 22; 33 years ago there were but 14 or 15. In 1800 a free-born man paid 2*l.* 15*s.*, with 1*l.* for the stamp, and the like sum for a treat. Twelve years ago the fee was 10*l.* by servitude, and 5*l.* for the free-born; there has been no admission since that time. An entry in an old book, dated 1617, refers to the charter granted to this company by the mayor of Chester on the 14th October, 26 Elizabeth. They meet at least once a year at an inn, and have a banner, but no seal nor any property, except four MS. books and a Bible. Citizens are never forced in; there are no entries to that effect; it is said, indeed, to be rather the reverse.

Joiners, Carvers and Turners.

The Joiners, Carvers and Turners received for admission in 1794, five guineas and two guineas for a treat; there were then 14 or 15 members; they have since increased to 33. They have two aldermen and two stewards. They claim to be a corporation by prescription, and could only show a portion of a copy of a grant of certain privileges under the seal of the city. They meet every year at an inn, and have a banner; the seal has not been seen for some time; it was said to have been last in the possession of the late Alderman Bedward. The books show that the company resolved, on the 6th November 1759, to prosecute other persons exercising their trade. A person was forced to join in 1796; and a witness deposed that he knew people who had come in, because they had received notice from the company.

Painters, Glaziers, Embroiderers and Stationers.

The Painters, Glaziers, Embroiderers and Stationers, held their annual meeting in last October, at a public-house. Twenty years ago there were 22, and they are now 23; 7*l.* 6*s.* was paid for admission in 1823, and the same sum was also received until 1829; but for the last admission in 1831, only 2*l.* 6*s.* 8*d.* was paid, and this sum included the stamp. No charter was produced, but the steward of the company stated, on the authority of a brother of the company, that John Broster, an alderman of Chester, but formerly an alderman of their company, had deposited their charter in the British Museum. Seven books were produced, and a seal, having the figure of the Phœnix; the interest of this company in the Phœnix Tower has been already mentioned; the upper part of the building was formerly their place of meeting, as well as of the barbers, &c. Persons are never compelled to join the company, and it is alleged, on the contrary, that they desire to be as few

as

as possible, that the members may receive the larger dividend from Owen Jones's charity, and from other benefactions. They have two banners, but no other property.

Goldsmiths.

The Company of Goldsmiths consisted of about 12 persons thirty years ago, there are now six or seven only; it has been esteemed a privilege for some time to belong to this society, and it is still so considered. They have the management or examination of all the plate, whether of silver or gold, exposed for sale in the city of Chester, in Cheshire and in Lancashire, and in North Wales; so far at least as the trade of a goldsmith is exercised in that country. They have no charters, no seal, and were incorporated by statute 12 Will. III. c. 4, being also a corporation by prescription. In 1803 the fee upon admission was only 3*s.* 4*d.* without the stamp; the same sum was paid in 1829, at the last admission; a treat was given formerly, but that practice has ceased. The company has two wardens and an assay master, the latter performs the ordinary duties of assay master, and receives the usual fees under the statute. It is said to be a lucrative situation. The goldsmiths meet at the assay office, in the assay master's shop; they have a banner, but no property, and the poorer brethren of the company receive Owen Jones's charity.

Smiths, Cutlers, Cardmakers and Plumbers.

The Smiths, Cutlers, Cardmakers and Plumbers are now 10, as they were also in 1822. Ten, and even 14 guineas have been paid for admissions; in the year 1822 the price was 2*l.* 13*s.* 4*d.*, and the stamp and a treat in addition. No members have been admitted since 1827, the fee was then 2*l.* 13*s.* 4*d.* by birth, and four guineas by servitude. They have no charter, no seal, but a badge and banner. They assemble yearly at an inn, and had formerly a meeting house in Common Hall-street. They have never threatened, or otherwise restrained persons exercising their trades.

Butchers.

The Butchers show a grant from the mayor, &c. of Chester, in English, dated 3d October, 17 Chas. II.; they are 12 now, but were 18 in 1811. They have two aldermen and two stewards, and demand three guineas, beside the stamp, for admission; they meet three or four times a year at an inn; formerly they were gathered together in the lower part of the Phœnix Tower. They produced a seal and four old books, and have a banner, but no other property. They never force any body to join their brotherhood.

Wet and Dry Glovers.

The Wet and Dry Glovers consist of 22 or 24 persons; 38 years ago there were six or seven; at that time 20*l.* was demanded for the fee on admission, without the stamp; until lately that sum was paid, but the present price is only 3*s.* 4*d.*; the company used to divide the money received for admission. They have two aldermen, two stewards, two banners, but no seal and no charters, being a corporation by prescription only; they produced an old book, which commences in 1629. So far were they from forcing strangers to come in, that they raised the fine to keep them out. They had a meeting house in Duke-street, which they sold about 38 years since to Mr. John Dodd, whose nephew, Phillpotts, now holds it: the price was a secret.

Cordwainers.

The Cordwainers possess several very ancient deeds and charters; viz.

6th May, 44 Edward I., granted by Edward, the son of King Edward, Earl of Chester.

3d May, 16 Henry IV.

24th October, 3 Edward VI.

2d May, 3 James I., an *inspeximus.*

They showed their seal also, and have a large box of papers concerning admissions and other acts of their society.

No words of incorporation are found in their charters; but their own acts, entries and form of oaths, describe them as a corporation by prescription, or otherwise; 26 years ago 10*l.* was given for admission, besides the stamp: about two or three years since a brother paid 10*l.*, which was divided amongst the company after the expenses had been paid; but for a year and a half 3*s.* 4*d.* only has been required, and on those terms three or four persons have been actually admitted. There are 28 or 30 members now; there have been 32 or 33. They have a banner, and are not in possession of any property at present; but they formerly had a meeting-house on a rock near St. John's church; the building still remains, and is a dwelling-house, occupied by the widow of Thomas Edwards. One of the aldermen of this company declared that he entered it, as his master had before, in consequence of being threatened with a fine; and Nathaniel Harrison, about five years ago, joined it, in consequence of similar threats.

Bakers.

The Bakers have increased from 33 to 42 since 1820. Formerly the free-born paid a fee of 5*l.*, for the stamp 1*l.*, and for the bond 2*l.* 5*s.*; for servitude the fee charged was 10*l.* instead of the 5*l.*, and the other expenses were the same. But since 1830 the price has been 3*s.* 4*d.* only.

They have a charter, bearing date 18th December, 11 Henry VII., an *inspeximus* by Prince Arthur, Earl of Chester, of an English grant by the mayor, &c. of Chester. They are accounted a corporation by prescription. They were able to show the handle of their seal only;

CHESTER.

only; they have a banner and two ancient tippetts. They meet twice in each year at an inn, and have no hall; but from a book commencing in 1735, it appears that formerly they possessed land to stack gorze upon for heating their ovens. Twenty-five years ago several men were forced into the company. So lately indeed as 1824, Thomas Filston was served with a writ from the Court of Exchequer; he paid 6*l.* 8*s.* 6*d.* for costs, and a fine of 10*l.*, and was then admitted and sworn in. New members and the officers in this company are always sworn. When Filston afterwards applied for Owen Jones's charity he was refused, as not being qualified, for he was not a freeman of Chester. Three men have been admitted to this company who were not free of the city, one in 1808, another in 1811, and another in 1812. Such admissions are contrary to the usual practice of the trades and to their own bye-law.

Fletchers, Bowyers, Coopers and Stringers.

The Fletchers, Bowyers, Coopers and Stringers, sent out notices some years ago, but no one joined them in consequence of their threats; they have now 19 members, in 1822 they had but eight. The charge for admission was 10*l.*, and the stamp and sometimes a treat; and as much as 20*l.* has formerly been paid until the last three years, when it fell to 3*s.* 4*d.*, with 1*l.* for a treat to the brotherhood, and the like sum for the stamp; none are admitted unless they are entitled by freedom. They are held to be a corporation by prescription, and have two aldermen, as many stewards, a banner and ten books, the oldest commencing 18th February 1568, but no seal. They meet twice a year at an inn. They produced an agreement under the several seals of the members of the society, dated 7th March, 8 Edw. IV., and a bond of Joshua Latham, dated 3d January 1758, with a condition in restraint of trade; notices were sent some years since, but they were wholly disregarded.

Grocers, Ironmongers, Mercers and Apothecaries.

The Grocers, Ironmongers, Mercers and Apothecaries have two aldermen and two stewards; they are now 14, but in 1818 were six only. They are considered a corporation by prescription, and showed a grant from the mayor, &c. of Chester, under the city seal, dated the 20th January 1604. They have a seal, two banners, four tippets and two books. They meet at an inn every May, and have no hall now, but a lease of the Water Tower is mentioned in their books in 1772, and they used to assemble there many years ago. They possess 200*l.* in the Three per cents., the legacy of one Dean; the interest is directed to be divided amongst the poorer brethren, and it is in fact so distributed. In 1670, there were 60 or 70 members. They have never interfered with strangers; the admissions are voluntary; in 1818, the fee was 10*l.*, including the stamp; the last admission on those terms was in 1829; the present price is 3*s.* 4*d.* and the stamp.

Innholders, Cooks and Victuallers.

The Innholders, Cooks and Victuallers now reckon 64; in 1812, they had 80 members; they have three aldermen, one of whom is the Marquis of Westminster, and two stewards. The cost of admission in 1812 was 15*l.* 3*s.* including the stamp, and has been uniformly the same. They produced a grant from the mayor, &c. of Chester, bearing date 10th June, 25 Elizabeth, and an inspeximus charter, dated 20th January, 34 Elizabeth, which sets out the foregoing in English and confirms it in Latin, under the seal of the county of Chester. The company meets on the 1st of August in the town hall every year, and also occasionally at other times. They have two banners, but no seal, no hall, no property, nor are there any traces of former property in an ancient account of 1629, which contains payments made by them for the representation of an ancient mystery, nor in their other books. They have a large box of old papers. One of the present aldermen of the company was forced to enter in 1812, and almost all the members have been forced also. In 1824, Charles Blake, Anthony Huley and another person were compelled to join the society; the last admission was in that year; the charge was 15*l.* 3*s.*: the money was always divided among the brethren; such interference appears by the books to have been very frequent, but since the decision in Harrison and another *v.* Williams, it has ceased entirely, nor has any one been admitted since: many persons now exercise the trades of this company in Chester who are not members.

Skinners and Feltmakers.

The Skinners and Feltmakers form a very small society; there are now only two members, in 1817 there were four, nor have there been more than the latter number within the living memory; but during several years, about 1736, there appear to have been 26. They have no charters, but have always been considered an incorporated company, although no entry in their books distinctly describes them as such. An extract from the mayor's book at Chester, 2 Henry VII., was produced, relating to such company.

Their banner was displayed on the accession of his present Majesty; their silver seal bears date 1655; they have no property, and meet in the common hall of the city. The steward of the company said that he never knew of any one being fined at the instance of this company for exercising their trades, but the examined copy of a record of the Pentice court, of 27th January, 7 Will. III., shows that the company recovered 4*l.* 6*s.* 11*d.* in proceedings against William Bowdler, for exercising his trade without being a member of the company. The steward paid for his admission, in 1817, about 10*l.* exclusive of the stamp; it was the usual charge, and the money was always divided amongst the brethren; 3*s.* 4*d.* only has been demanded for the last five or six years.

Saddlers and Curriers.

The Company of Saddlers and Curriers were three in 1815, they are now five. In 1815, 5*l.* was paid for the admission of a member, exclusive of the stamp, and on the last admission also, about six years ago. They have neither charter nor seal, one banner, and no property, but it appears, from an entry in their books, that they formerly possessed a meeting house

house on the city walls, which was surrendered into the hands of the corporation in 1774. The company has one alderman, two stewards, and only two books; the oldest entry is of 1640, it is an order that the brethren shall not sue each other without the consent of the alderman and stewards; at that time there were between 40 and 50 members of the company. There does not appear to have ever been any interference with persons exercising their trades. They hold themselves to be a corporation by prescription.

Merchant Tailors.

The Merchant Tailors claim also to be an incorporated company by prescription.

There are now 21 members. In 1812 there were only eight. The admission of a member then cost 5*l.* besides the stamp, and a treat from those entitled by birth; those not entitled paid 10*l.* and the treat; and this continued till about 1827. The fee now paid is 3*s.* 6*d.* beside the stamp and a treat. There is a tradition of a charter, but none was produced, nor any specific evidence given of its existence. It was stated, however, that there had been a suit in the Exchequer a century and a half ago, establishing that the company was a corporation by prescription, and immemorially used to restrain persons not free of the company from exercising their trades.

Having no common hall, they meet at an inn; they formerly used the Phœnix Tower.

They have a seal and medal, two banners and several ancient books, the earliest dated in 1688.

In 1815, they forced or terrified six or eight individuals into the company. These paid each the 10*l.* and the treat and stamp. Out of the proceeds the company had a good dinner, gave an attorney 1*l.* a head for swearing in the novices, and divided the surplus.

Clothworkers and Masons.

The Company of Clothworkers and Masons have no charter, and claim to be incorporated by prescription. There are now eight members; in 1826 there were six. Previous to 1815 there were only two, and Owen Jones's charity being dividable among this company in 1817, seven new members were admitted in 1815, and three in 1817, from each of whom a fee of 10*l.* was exacted upon admission, and the money divided. The fee has since been 6*s.* 8*d.* only, with 3*s.* 4*d.* for a treat, and 1*l.* the stamp. They have two aldermen and two stewards.

Only one book is now in the possession of the company, commencing in 1739. There is an entry of 25th July 1782, showing that a seal of the company was then in their hands. Formerly they had a mill on the Dee, described as an oil leather mill, which they leased for 21 years, on the 23d April 1720, to one George Scott, reserving 4*l.* rent. It is now in the ownership of the Messrs. Topham, and is said to have been sold to their father, Mr. Robert Topham for 1,000*l.* At all events it is a very valuable property.

A single family is then said to have constituted the whole company.

They have now no property but a banner.

Weavers.

The Weavers stand also upon their prescriptive right alone. In 1816 there were six members, and at that time 10*l.* was paid on admission; now there are ten members, and the company, having been advised they have no right to the fee, take only a treat in lieu of it. The last admission was in 1831. They meet annually at an inn. They have a seal and banner, but no other property.

There is, however, reference in their books in 1669, to a meeting house in St. John's Churchyard, their property, for which they appear to have been rated from 1742 till 1755, and in 1775 to have received 5*l.* 3*s.* 6*d.* rent for the same. The house now belongs to Miss Bridge, and no account could be obtained of its alienation.

On the 28th of April 1772, this company gave their sanction to the trustees under the will of Owen Jones, to invest 2,000*l.* in the Nantwyche Canal. No compulsory means have ever been used by this company to bring in members of their trade to join them.

Fishmongers and Dyers.

The Company of Fishmongers and Dyers for a long period has been extinct.

Newcastle-upon-Tyne,
11 March 1835.

Geo. H. Wilkinson.

List of Documents.

I send with this Report the following Documents:

A. Translation of the governing charter, 6th April 21st Henry VII.

B. A view of the local government of the city of Chester. MS. handed by Mr. Faulkner.

C. Waterwork Act, 7 Geo. IV. sess. 1826.

D. Printed translations of the charter of Henry VII., and of the confirmation of Elizabeth; with introduction and notes.

E. Printed report and statement of the corporation of the guardians of the poor.

F. Printed history of city of Chester, Part IV.

G. Ditto - - - ditto - - - Part XI.

H. Act for better regulating poor, maintaining a nightly watch, lighting, paving and cleansing streets, rows, &c., 2 Geo. III.

J. Act to amend and enlarge same, 44 Geo. III.

K. Printed statement of Chester corporation charities.

L. Rules of the Pentice Court.

M. Names of mayor and corporation of Chester, (printed lists.)

N. List of constables and special constables for the city, 1832-3.

O. List of tolls taken at the gates.

P. Various letters and less important documents.

Q. Custom-house return of duties, rates and tolls levied by the corporation.

REPORT

ON

THE BOROUGH OF CLUN,

(SALOP.)

CONTENTS.

	Page
ANCIENT STATE	2641
Charter for Fair	2641
Wood Plea Court	2641
Local Limits	2641
Charter	2641
Title	2642
Officers : Bailiffs	2642
Recorder	2642
Serjeants at Mace	2642
Freedom	2642
Freemen, privileges	2642
Ruling Body	2642
Fees	2643
Courts, ancient	2643
of Record	2643
Juries	2643
Police	2643
Gaol	2643
Fines	2644
Property : Common	2644
Cottages and Inclosures	2644
Turbary	2644
Patronage : Hospital	2644
Endowment	2644
Accumulation of Funds	2645
Abuses	2645
Acts of Parliament	2645
General State : Church	2645
Schools	2645
Wesleyan Free School	2645
Dissenting Congregations	2646
Poor	2646
Rates	2646
Wages	2646
Public-houses and Beer-shops	2646
List of Documents	2646

BOROUGH OF CLUN.

1. THE Borough of Clun, in the county of Salop, now greatly declined from its ancient station, appears from Dugdale (Bar. i. 314.) to have been of sufficient importance, in the age immediately succeeding the Norman conquest, to have conferred a title upon the celebrated family of "Fitz-Alan, of Clun." The founder of whose power in England, Alan, the son of Flathald, obtained, by the gift of William the Conqueror, the castle of Oswaldster, with the territory adjoining. ANCIENT STATE.

"In 3 Steph., when divers of the great men armed themselves on the behalf of Maud the empress, William Fitz-Alan," (his son) "then governor of Shrewsbury, and sheriff of the county, did so likewise, and held the castle of Shrewsbury against that king, until it was taken from him by assault. He was also with her at the siege of Winchester castle, in 6 Steph., where she and her whole army were put to flight; and afterwards adhering stoutly to her, was constituted sheriff of the county of Salop, so soon as her son king Henry II. attained to the Crown. In which office he continued till his death, viz. in 6 Hen. II.; for in that year Guy Estrange, then sheriff of that shire, accounted to the king for the profits of his lands, for the one half thereof; and also for money paid in wages to the servants in his castles of Clun, Blancminster (*id est*, Oswaldster) and Ruthin. And having married Isabel de Say (daughter and heir of Helias de Say), niece to Robert Earl of Glocester, Lady of Clun, left issue by her William, his son and successor," &c.

He died 19 Hen. II. "leaving William Fitz-Alan his son and heir;" which William, "in 6 John, obtained a Charter for a Fair yearly, to be kept at his mannor of Norton (now called Cheping-Norton) in com. Oxon.; and another at Clun, in com. Salop." Charter for Fair.

The earldom of Arundel vested in John Fitz-Alan, the nephew and successor of the latter William, in 28 Henry III., "upon partition then made of all the lands of Hugh de Albini, Earl of Arundel, by right of descent from Isabel his mother, one of the sisters and co-heirs of the same Hugh. And soon after that, in consideration of a thousand pounds fine, he had livery of his own castles of Blancminster, Clun and Schrawurthin."

And in stating the vast possessions of this family in the marches of Wales and throughout England, the same author uniformly gives a conspicuous place to the manor and castle of Clun.

Its condition at a later date may be inferred from the description given by Leland.

"Clune was a praty market towne, and yet sometyme they keep market there. Clun alias Colunwye; Clunne castell, longing to the Earl of Arundel, sumhwhat ruinus. It hath been both stronge and well builded. Clune was a lordship marched by itself afore the new Act. By Clune is a great forest of red deere and roes longing to the Lord of Arundel, and standing in the lordship of Temecester, through the which Teme river cummeth, longing also to the Lord of Arundel. Clunne forest very faire and good game." Lel. v. 28–9.

Camden states, that it continued in the Earls of Arundel till Queen Elizabeth's time, when the last Earl died; and adds, that "a court called 'Wood Plea Court' is held twice a year in this forest for determining all matters of wood and agistment there. The Hundred of Clun was reputed part of Wales, and out of this county, all the suit and service done to the honor was in Wallesheria, or according to the Welsh laws." Gough's Camden, ii. 404. Wood Plea Court.

2. The ancient title of the manor of Clun was the "the Honor, Hundred, Borough and Manor of Clun." The present lord of the manor is the Earl of Powis, who appoints a steward and deputy steward. Those offices are at present held by Philip Morris, esquire, of the Hurst, in the township of Clun, barrister-at-law; and Edmund Edye, attorney-at-law, of Montgomery. Local Limits.

The manor, however, is now incorporated with a lordship extending over several other manors, viz. those of Temsater, and of the Five Towns, which latter are Bickton, Shadwell, Newcastle, Whitcott and Keven Colonog (or Kolonck).

The borough of Clun is precisely co-extensive with the township, the boundaries of which are perfectly well known and defined, and have never been the subject of litigation. It extends about two miles on all sides of the town, which lies nearly in its centre. The river Colun, rising in the neighbouring forest of Clun, runs directly through the town and borough.

The above manors are comprised within the Hundred of Purslow.

3. There is a tradition in the borough of the existence of a Charter granted by some of the Earls of Arundel, Lords Marchers of Wales; and of its having been formerly in the custody of Mr. Walcot, from whom the Earl of Powis purchased the lordship and honor of Clun; but the possession cannot at present be traced. Charter.

In Lewis's Topographical Dictionary, it is stated that "Clun, formerly a lordship in the Marches, was first incorporated by the Lords Marchers, whose charter was confirmed to Thomas Earl of Arundel, in the reign of Edward II., at which time its prescriptive right was admitted. The charter not having been enrolled in Chancery, and all the records of the

CLUN.

Lords Marchers being destroyed, its being an incorporated borough was proved by parole evidence. It was formerly the head of a Hundred of the same name, which has been incorporated with that of Purslow."

The name of "Thomas," in the above extract, must have been inserted by mistake for that of Edmund, who held the Earldom of Arundel through the entire reign of Edw. II. (Dugd. Bar. i. 316), and who would, in all probability, confer upon the more important borough of Clun the same privileges which he conceded to his burgesses of Ruyton. (*See* Report thereon.)

In the plea to a *quo warranto* information filed against the bailiffs, recorder and burgesses of Clun, by Sir Francis North, knight, attorney-general, &c. in Hilary Term, 26th and 27th Charles II., the incorporation is pleaded as by prescription.

From a memorandum, however, made by Anthony Morris, bailiff of the borough of Clun in 1679 (an ancestor of the present high steward), who appears from his own Minutes to have been a most energetic assertor of the rights of the burgesses, it would seem that he had, at that time, "secured our charter, common seal and a lease by the bayliffe and burgesses, granted of p^te^ of our burgesses' undivided lands for 1,000 years, in the 41st year of the reign of Queen Elizabeth, paying a pepper-corn yearly to the bayliffe and burgesses, when she was lady of the manor."

The common seal is now in the possession of Mr. Griffiths, solicitor, of Bishop's Castle, to whom a sum of money is due for certain costs incurred on behalf of the burgesses, and hereafter noticed.

Title.

4. The Corporate Title is set out in the pleadings upon the *quo warranto* above-mentioned, "per nomen Ballivorum, Recordatoris, et Burgensium Burgi de Clun."

Officers.

5. The Officers are:

Bailiffs	2
Recorder	1
Serjeants at Mace	2

The constables are sworn at the court leet held for the lordship at large, and are not officers of the corporation.

Bailiffs, election of.

6. The Bailiffs are elected by the burgesses at large, in common hall assembled, yearly on the Sunday next before Michaelmas-day, from the body of burgesses, whether resident or non-resident.

They serve for one year; and the practice has generally been to take all the burgesses in rotation for the office.

Functions.

7. The bailiffs do not act as justices of the peace, but they preside in the court of record, assisted by the high steward or his deputy, and by the recorder; the process therein being directed to them.

They also appoint the serjeants at mace.

Emoluments.

8. They have no Emoluments, other than the right of common (hereafter mentioned), which they enjoy as burgesses merely.

A regular list of the borough bailiffs, from the year 1714, is found in the corporation books.

Recorder.

9. Although the Recorder assists in the borough court, he has always, in practice, been an officer of the lordship, and appointed by the lord of the manor; and in former times the deputy steward has commonly holden the office. He keeps also the books of the corporation.

Serjeants at Mace.

10. The Serjeants at Mace are appointed for one year by the bailiffs; the same individuals are generally re-appointed. They bear two silver maces; the one engraven with the quarterings of England and France, the other with the arms of Howard, Earl of Northampton, one of which family, Henry Howard, founded Clun Hospital, hereafter mentioned, in 1614.

Functions, &c.

11. They serve the process of the court of record, and receive each 10*s.* yearly, together with pickage at the fairs, producing about the like sum, and 1*s.* at each court leet.

Freedom.

12. Freedom is obtained by birth; those children only are entitled who were born after the father had been admitted and sworn.

The swearing in takes place before one of the bailiffs at a common hall.

Freedom may also be acquired by election of a majority of the burgesses at a court day.

Freemen, duties of, and privileges.

13. The burgesses serve on juries indiscriminately with other inhabitants, but the foreman of the jury has always been a burgess, except in one instance, when the rule was departed from. Their only privilege is an exemption from toll at the fairs, of which there are three; two chartered, viz. on Whit-Tuesday, and 22d November.

Numbers.

14. There are 24 burgesses; 11 resident within the borough, 13 without the limits.

Ruling Body.

15. The authority of the corporate officers was early in collision with that of the lord of the manor, as appears from one of the Minutes of the above-mentioned Anthony Morris, bailiff, in 1679:

"When Isac Morgan was deputy steward in the countey court, and bayliffe of the corporation court, he and John Price, in the behalf of the lord of the manor, would have sworn John Fidoe burgess; and I took the Bible out of the serjeant's hand, and stroke Fidoe's hand off, and he was never sworn att all."

Even

Even this vigour, and his defence, as "the King's capitall bailiff," to an indictment preferred against him, at the instance of Mr. Walcot, the lord of the manor, for forcing Richard Vaughan to an oath to serve upon the watch, have not been found of avail to preserve the independence of the burgesses.

16. No Fees appear to have been ever taken upon admission of the burgesses or choice of their officers. Fees.

17. The extent of the powers exercised by the early proprietors of this lordship is sufficiently manifest from two documents which accompany this Report. Courts, ancient.

The power of life and death over criminals taken upon fresh suit, and with the mainour, is thus defined:

"Plita Corone. Aº 20 Ed. I. in Com. Salop. Et dicunt quod cum aliquis latro, captus cum secta et mannopere, suspendi debeat in hundredo pdcõ (de Pusselowe) pdcüs comes (de Arundel), p̃ ballivos suos pdcõs latrones ducere facit, extra comitatum istum et hundredum istud, usque ad Cloune, et ibidem subire judicium."

The exercise of the royal prerogative of pardon is attested by an indenture executed 21st Dec. 12 Hen. VIII. between Thomas Earl of Arundel and John Clon, whereby the latter, upon payment of 100 marks (of which 20 are remitted), was absolved from the legal consequences of the death and murder of Roger Lawe, through a charter of pardon thereby covenanted by the said earl, "in due form to be made, afore the Feast of Corpus Christi next ensuing."

18. At present the only court held exclusively in and for the borough is the Civil Court of Record; the antiquity and former importance of which may be inferred from the inquisition taken upon the death of Richard Earl of Arundel, in 30 Edward I. entitled, "Esc. Aº 30 Ed. I. No. 30. Extenta honoris de Arundel;" from which the following is an extract:—"Et omnes pdci tenentes tam de * * * quam de Walescheria debent sequi curiam de Cloune de tribus septimanis in tres septimanas. Item plita et perquisita curiæ de Cloune valent 6li. Et dicunt quod Edmundus, filius pdci comitis Ricardi, est propinquior hæres ejusdem comitis, et est ætatis 16 annor̃." Court of Record.

The court is still held before the bailiffs, assisted by the recorder and steward, every third Wednesday, by adjournments; and causes may be tried in it to an unlimited amount, but the business actually transacted is now of trifling extent: the fees taken in the manor court, in which the deputy steward presides, are much lighter, and the declension of business in the borough court is ascribed to this circumstance.

In 1825 only two causes were entered. In 1826 six were entered; in one of which the sum in dispute was above 50*l.*, in another between 20*l.* and 30*l.*, and in the remaining three under 20*l.*

In 1827 there were four between 20*l.* and 30*l.* No instance is recollected of a cause proceeding to trial; all being compromised, or judgment taken by default.

The process, which is by summons or distringas, used formerly to go in the name of the lord, but is now tested in the King's name, and directed to the bailiffs.

There is no restraint upon any one from practising in the court, nor fees taken on admission.

19. One Jury is sworn for the borough, another for the manor of Temsater, and a third for that of the Five Towns. Juries.

The courts are all held in Clun at the same time.

The bailiffs select the borough jury, and the serjeants at mace summon them.

The bailiff of the lordship returns the other two juries.

The borough jury used to receive, on court days, entertainment from the lord of the manor; they now have only an allowance of ale from the bailiffs.

20. The borough bailiffs do not interfere in the appointment of the Constables. Two are appointed at the leet by the steward, and used formerly to be sufficient for the preservation of the peace; but the people are said not to be so quiet since the establishment of the beer-shops. Police.

21. There is a Lock-up House under the Town Hall, the property of the lord of the manor. It was made a subject of complaint, that the ancient court-house of the borough had been pulled down by the lord of the manor. Whatever the merits of the case, the event occurred so long ago as in 1780. It was stated that, previous to that time, the court-house stood adjoining to the castle (now in ruins); that it had two entrances, one to the lord's own court, the other to that of the borough; that the borough court was in fair order, wainscotted and floored, with a place of confinement for prisoners underneath. Whereas the lord's court was an unfloored and ruinous barn. Gaol.

In confirmation of this statement, among various documents produced on behalf of the burgesses, was one entitled "Clun Villa.—The answere of the bayliffes and burgesses of the burrow and corporasõn of Clun to the purposialls of Henʏ Howard, esqre, Lord of the Honor of Clun, touching the said bayliffes and burgesses' priviledges there, as followest. Pr 1669."

The 4th article of which is in these terms: "And in answere as for our part of the court-house, and the dungeon underneath, it was built in our late Queen Elizth's time. Questionless, ye one part, where ye said lord keeps his court barron, by ye sd Queen; ye other part, where we keep our corporasõn and King's court, by us, as well as our market-house, and built upon our own burgesses undevided land: as, for example, it is seperated with a greet hill, and thare being 2 dores, ye one into the Lords' end, ye other into our end; and

CLUN.

that we have kept our corporasõn and King court ever since it was built, and areasted there with the sace at all times, and imprisoned allways several persons in our dungeon, and repaired our s[d] end; which possession is a good title, whereas no one can gainsay to the contrary."

Of course this amounts only to their own allegation, made at a remote period, as to the right.

Fines.

22. In no instance do any Fines appear to have been imposed for non-attendance, refusal of office or any other cause.

Property. Common.

23. The burgesses claim to have formerly had the exclusive ownership and enjoyment of certain undivided lands, lying in nine fields in different parts of the manor and forest of Clun, and containing altogether upwards of 1,700 acres, of which above 200 acres are woodland. And they allege that the right now claimed and exercised by the freeholders at large, to turn their cattle upon these common fields, has originated in usurpation.

A trial respecting this right is stated to have taken place in 1690, between the burgesses and Mr. Walcot, then lord of the manor, which is said to have terminated in favour of the former; and that they afterwards ploughed it up, and took the produce of the lands exclusively, without any interference on the part either of the lord or the freeholders. One of the oldest burgesses at the present day, Mr. John Law, senior (from whom the several documents accompanying this Report were furnished), stated that he could recollect his grandfather ploughing in one of the nine fields. And the two first articles among the before-mentioned Minutes handed down to the corporation from their bailiff, Anthony Morris, are to the following effect: "1st, I measured out our burgesses undivided lands, and plowed y[e] same; and are two miles in length from Cumyfrood to Ronderengereth, being in all nine fields, one year after another. 2d, Brought a tryall at the assizes held at Bridgenorth, in y[e] bayliffes and burgesses name, against Roger Reynolds, for cutting and carrying away our Soudley wood, and had a verditt."

It was further alleged that several instances had occurred, from 20 to 30 years ago, in which legal proceedings had been taken by Wm. Cheney Hart, esq. barrister-at-law, a burgess; and by Mr. Oakeley, about 40 years ago, against freeholders of Clun and Clunton and others, trespassing upon the woods and lands of the burgesses; and instances have occurred of rent being paid by others to the burgesses for sheep-walk on their commons.

But of late years, it is admitted that the freeholders at large within the borough have, in common with the burgesses, turned their cattle uninterruptedly on all the unenclosed parts of these lands, and still do so.

The right is exercised without stint by all parties, and for all commonable cattle. The burgesses turn on, whether they have ancient enclosed lands or not: if they have not, they buy fodder for their cattle in the winter, or take from the farmers small garths, called haylotts, near the town, and fodder them there.

Cottages and small Inclosures.

24. Small Inclosures, upon parcels of these lands, have been made from time to time; as many as 20, within the memory of living witnesses, for which rent has been paid to the burgesses. These rents amounted, as far back as living witnesses can recollect, to about 5*l.*, being scarcely more than nominal acknowledgments.

About 20 years ago, in order to assert their right of property, the burgesses raised these rents to about 10*l.* or 12*l.* The cottagers, at the instigation of the freeholders, disputed their right to do so. Trials at Shrewsbury ensued, in which the burgesses were successful; but their success was worse than unavailing. The cottagers had no means of paying costs to the successful parties, who spent above 700*l.* in this litigation, and still owe their attorney from 80*l.* to 100*l.* And although they were enabled to raise their cottage-rents to about 50*l.*, yet they were under the necessity of forthwith selling both cottages and inclosures, in order to pay the lawyer's bills.

Turbary.

25. A right of common of Turbary, together with the foregoing rights of pasturage and cutting wood (of little value as now enjoyed) are, accordingly, the whole property now possessed by the burgesses of Clun.

Patronage. Hospital.

26. The bailiffs of Clun for the time being have a share in dispensing the patronage of the "Hospital of the holy and undivided Trinity in Clun."

As this well-endowed charity, being visited by the Bishop of Hereford, has not come under the cognizance of the Charity Commissioners, it was considered a proper subject for the Municipal Inquiry.

It is stated in Gough's Camden (ii 404.) that "Henry Howard, Earl of Northampton, founded here, 2 James I., an hospital for 12 poor men and a master. See the Statutes at the end of Leland's Coll. iv. 1770." The warden has a copy of the Statutes.

Endowment.

The hospital is endowed with the tithes of the parish of Knighton, in the county of Radnor; a portion of those of Stowe, in the county of Salop; and those of Church Stoke, in the county of Montgomery. Also, with fee-farm rents, payable by the Earl of Powis out of the rectories of Bishop's Castle and Clun, and amounting annually to 50*l.* 10*s.*; and 5*l.* payable yearly from Greenwich Hospital.

The entire revenues of the hospital produce an annual income of from 1,000*l.* to 1,200*l.*, including two closes of land contiguous to it.

These closes are held by the warden of the hospital, together with a salary of 80*l.* a year, a house, garden, coals, food and clothing.

The lord of the honor of Clun has the appointment to the office of warden, which is held at present by Mr. Thomas Woolaston, a lieutenant in the army, upon half-pay, and formerly a capital burgess of the borough of Bishop's Castle.

There

There are 12 electors of the poor men, who are to partake of the charity, viz. the bailiff, vicar and two churchwardens of Bishop's Castle; the two bailiffs, vicar and two churchwardens of Clun; the steward of the lordship of Clun; the rector of Hopesay; and the warden of the hospital. CLUN.

Upon the occurrence of a vacancy, these meet in the church at Clun, and fix upon two persons to be returned to the lord of the honor as fit objects of the charity, who thereupon warrants the admission of one of those two into the hospital.

The poor men have an allowance of 10*s.* each weekly, with an extra allowance of 2*s.* 6*d.* each, on 13 feast days annually; and each of them has two rooms in the hospital, a small garden, coals or wood for firing, and clothing.

It is obvious that this application of the funds of the charity cannot nearly absorb them; and in point of fact, a very large accumulation has taken place, the proceeds being placed out upon Government securities. The chapelries, however, of Church Stoke and Knighton, have been from time to time augmented out of the funds of the hospital; so that the annual income of each incumbent is now more than 150*l.*, and will (it is stated) be much increased when proper lands can be found in which to invest a considerable sum remaining in the augmentation office. And some years ago, the hospital built at a considerable expense, a good house, &c. for the Knighton curate, near the church, wherein the incumbent may keep a school and accommodate boarders; and it has been, and still is intended further to augment each living. Accumulation of Funds.

Of the 12 poor men thus maintained in pursuance of endowment, nine are elected from the lordship of Clun, and three from that of Bishop's Castle. And the trustees of the hospital, (who are, the rector of Hopesay, the vicar of Clun, and the vicar and bailiff of Bishop's Castle) considering that the principal revenues of the charity arise from the tithes of the two parishes of Knighton and Church Stoke, deemed it proper to augment the number of poor men to 14, taking one from each of those parishes.

It does not appear that the benevolent intentions of the founder have been followed out to those good results which he doubtless anticipated: it is true that prayers are read twice a day by the warden or sub-warden (one of the poor men); but the warden complains that the five hours and a half which intervene between morning and evening prayers are spent by his old men in public-houses and beer-shops; that they are a sad set, and he cannot keep them at home at all; and that the trustees will not empower him to levy the fines imposed by the statutes of the hospital for such misconduct. Abuses.

On the other hand it is represented that the conduct of the warden himself has been by no means such as to entitle him to the confidence of the trustees; indeed that it has been so irregular as to demand the interference of the visitor.

And, in the midst of these disorders, no visitor has ever found time to examine into the state and regulation of the hospital. The late bishop is said to have once looked in at the gates, but to have made no inquiries; and the present bishop has never yet noticed the establishment, having only once visited Clun on a confirmation.

The predecessor of the present warden was removed by the trustees for misconduct; and the whole institution is represented to have been very much perverted to the purposes of electioneering, before the passing of the Reform Act; since which, however, it is suggested that it would be a comparatively easy matter to effect a restoration of this charity, with due superintendence, to its pure and proper uses.

27. There are no local Acts of Parliament relating to the borough of Clun. An Inclosure Act is in contemplation, as the best means of quieting all the differences, as to the respective rights of the lord, the burgesses and the freeholders, with which the borough has been so long distracted. Small chief rents are payable by the latter to the lord; some as low as 4*d.* and the highest amounting to 19*s.* 4*d.*, in the nature of Castle Guard rents, paid in consideration of the protection anciently afforded by that fortress, against the inroads of the Welsh borderers; and even these small payments are not made without a grudge. Acts of Parliament.

28. The vicarage of Clun is in the gift of the Earl of Powis, the impropriator of the rectorial tithes of Clun and Bishop's Castle. General state. Church.

The living is in the diocese of Hereford. The present incumbent is the Rev. Christopher Swainson, M. A. of Worcester College, Oxford.

He holds also the rectory of Wistanstow in the same county, on which he resides, keeping a regular curate in the parsonage house at Clun.

The average gross value of the vicarage of Clun is about 650*l.* a year. The parish is very extensive, comprising 14 townships, of which that of Clun is the most populous. Some of the inhabitants are resident six or seven miles from the parish church, with a mountainous country intervening.

A sum of about 1,300*l.* was collected, under an ancient brief of 12 Charles I. to be applied to the rebuilding and repairs of churches within this parish. The money stands in the funds in the names of the lord of the manor, and the vicars of Clun and Bishop's Castle, and the interest is now accumulating. Till of late years it was kept in the hands of the trustees without any return of interest. The appropriation of this money is beginning at length to draw the attention of those intrusted with it.

29. A school-room and schoolmaster's house have been erected at the expense of the vicar of Clun exclusively, and in a great measure supported by him, for a day-school with from 70 to 75 scholars. Schools.

A Sunday school is also held in the vestry room to a much greater extent.

30. There is a Free-school in the town endowed by Mr. Richard Gough, a member of the Wesleyan congregation, resident in Clun, with certain lands and funds. Wesleyan Free-school.

CLUN.

It is a condition in the endowment that the children should attend the Established Church for morning service, and the Wesleyan chapel for the evening.

The number of scholars on Sundays is about 120. On week days it fluctuates from 60 to 80.

Dissenting congregations.

31. The chapel of the Wesleyan Methodists will accommodate a congregation of about 350; and is generally fully attended.

The Primitive Methodists have a place of worship in the borough, at a distance of a mile and a half from the town; and another in the town. Their congregation consists of about 120; they have a Sunday school in the summer time only.

Poor.

32. There is no manufacture here: coals are procured from a considerable distance, and are delivered at an expense of about 30 *s.* a ton.

The Poor-house is said to be not at all in a satisfactory state of regulation: but in the management of the poor-rates a great improvement has been effected through the exertions of the high steward.

Rates.

33. In the last year four collections, amounting in the whole to 3 *s.* 6 *d.* in the pound, were levied.

The assessments are professedly on two-thirds of the rack-rent, but are not, in fact, on above one half; the rate certainly does not exceed 2 *s.* in the pound on the rack-rent.

For the last six or seven years there has not been a variance of 100 *l.* on the whole sum levied. Previously it had been of double the amount.

Wages.

34. Able-bodied labourers in agriculture earn 9 *s.* a week wages, at which, employment may readily be procured. Women are employed in gathering and conveying heath for fuel, which is sold at 1 *d.* per faggot.

Public-houses and Beer-shops.

35. There used formerly to be eight regularly licensed Public houses within the borough; these have been reduced to three; but their places have been supplied by nine Beer-shops, five in the town, and four without. There has been a great change for the worse in the manners and demeanor of the inhabitants, which is here ascribed to the introduction of the beer-shops. In consequence of the brawling and fighting kept up there at late hours, especially on Sunday mornings, the bailiffs and serjeant at mace have, of late, occasionally visited them, and have succeeded in procuring somewhat better order.

Durham, 27 May 1834. *Geo. H. Wilkinson.*

The following documents are sent with this Report:

A. Articles done by Anthony Morris, bailiff of Clun, 1679.

B. Orders set down by the Lord Treasurer, 1576.

C. Copy pardon from the Earl of Arundel to John Clon, 21st December, 7 Hen. VIII.

D. The answer of the bailiffs and burgesses of the borough and corporation of Clun to the proposals of the Lord of the Honor, touching their privileges; and agreement of 6th August 1690.

E. Copy resolutions of William Cheney Hart, esq.

F. Copy information of Francis North, knt., against the bailiffs, recorder and burgesses of Clun; with the plea. Hil. 26 & 27 Ch. II.

G. Clun Latin extracts (Extent. Edw. I. &c. &c.)

H. Minutes respecting an action of ejectment between Charles Walcot, plaintiff, and Thomas Morris, defendant.

I. J. Extracts.

K. Account of the overseers of the parish of Clun, for the year ending Lady-day, 1833.

L. Letters.

REPORT

ON

THE BOROUGH OF CONGLETON,

(CHESTER.)

CONTENTS.

	Page
Local Limits	2649
Charters	2649
Title	2649
Officers:	
Mayor, Election of	2650
Functions, Privileges and Emoluments	2650
Deputy Mayor	2650
Mayor, Amotion of	2650
Aldermen, Election of, and Bye-Law	2650
Functions of	2650
Numbers of	2650
Capital Burgesses, Election and Numbers of	2650
Amotion of	2651
High Steward, Election of	2651
Functions of	2651
Town Clerk and Deputy Steward, Election and Functions	2651
Catchpole	2651
Serjeant-at-Mace, Mayor's	2651
Subordinate Officers	2652
Freedom	2652
Freemen, Privileges of	2652
Numbers of	2652
Ruling Body	2652
Fees	2653
Courts	2653
Juries	2653
Police and Gaol	2653
Fines	2654
Property:	
Corn and Silk Mills	2654
Town Wood	2654
Brownswolds	2655
Chief Rents	2655
Shambles, &c.	2655
Income	2655
Debt	2655
Expenditure, Account of	2655
Patronage:	
Parochial Chapel	2655
Grammar School	2656
Charities	2656
Acts of Parliament	2656
General State:	
Silk Trade	2656
Prospects	2656
Poor	2657
Dissenting Meetings and Schools	2657
Public-houses and Beer-shops	2657
Jurisdiction of Borough Justices	2657
List of Documents	2658

BOROUGH OF CONGLETON.

1. THE Borough of Congleton is co-extensive with the township of Congleton, which is one of several constituting the parish of Astbury, in the county of Chester. The manor of Congleton is likewise co-extensive with the township; but the corporation are not the lords of the manor. The present lord is Charles Watkin John Shakerley, esq. of Comerford. LOCAL LIMITS.

The boundaries are well defined, and are delineated with accuracy upon a parchment plan, on a large scale, made in 1795, and now in the custody of the corporation. They extend to the borders of Staffordshire, where the ridge of the hill forms the limit; and comprehend a circuit of nearly 20 miles.

A perambulation of them took place about twelve years ago; and no dispute has arisen respecting them within living memory.

Notice of the perambulation was given to the parochial officers of all the adjoining townships who attended on the occasion.

The jurisdiction of the borough justices extends throughout these limits, without the exception of any place.

2 The earliest Charter, by which privileges appear to have been granted to the free burgesses of Congleton, was that of Henry de Lascy, Earl of Lincoln, and constable of Chester; a translation of which accompanies this report. It is without date; but as it appears from Dugdale (Baron. i. 103.) that this Henry de Lascy was made Earl of Lincoln only in 1272 (56 Hen. III.), and died in 1312 (5 Edw. II.), it is almost certain that his charter must have been granted some time in the reign of Edward I.; and highly probable that it was dated soon after 10 Edward I., when, according to the same author (p. 104.) he procured from that King "a Charter for free warren in all his demesne lands of Congelton and Antrobus in Cheshire; as also a market and two fairs at Congelton." Charters.

The originals of this and of the following charters are all preserved among the muniments of the corporation:

Charters dated	15th July	10 Henry VIII.
—	4th May	24 Henry VIII.
—	20th May	2 and 3 Philip and Mary.
—	9th June	20 Elizabeth.
—	23d January	26 Elizabeth.
—	31st October	6 James I.
—	19th January	22 James I.

The latter is considered the governing charter of the borough. It does not inspect any of the antecedent charters; but it incidentally notices and confirms that of Henry de Lascy.

The more important among its provisions will be detailed in their proper place, hereafter.

Charters also of the	10th March	14 Charles II.
—	14th February	19 Charles II. and
—	18th August	6 George IV.

are among their muniments. The operative part of the latter merely empowers the corporation to hold certain lands by them purchased; the governing charter only enabling them to acquire lands, &c., not exceeding in the whole the clear yearly value of 20*l.* per annum.

They possess also a grant, dated 29th June, 29 Henry VI. at Croydon, under which the monopoly of a mill for the grinding of corn within the borough, (which will be further noticed in reporting upon the property of the corporation), is claimed and enforced by them; and another of 15th June, 16th Henry VIII., conferring on them an exemption from appearing, in certain cases, upon process from courts without the borough.

3. The Title of the corporation under the charters of Elizabeth was, "The Mayor and Commonalty of the Town of Congleton." Under that of James it is, "The Mayor, Aldermen and Burgesses of the Borough of Congleton, in the county of Chester;" and that title is recognized and continued in the charter of George IV. Title.

Beside the corporate seal, and that of the town clerk's office, the corporation have, under the provisions of the governing charter, one for sealing recognizances and executions before the mayor and common clerk, according to the form of the Merchant's Statute, and the Statute of Acton Burnel.

4. The Officers are,— Officers.

Mayor	1
Aldermen	8
Capital Burgesses	16
High Steward or Recorder	1
Town Clerk	1
Catchpole, or Steward's Serjeant at Mace	1
Mayor's Serjeant at Mace	1

With several other officers of subordinate degree.

CONGLETON.

Mayor, election of.

5. The charter ordains, "That the mayor, aldermen, and capital burgesses and freemen of the said borough for the time being, or the greater part of them, may and shall perpetually in time to come, have power and authority of choosing and nominating, yearly and every year, for ever, upon Monday next before the Feast of St. Michael the Archangel, one of the aldermen of the said borough for the time being, who may and shall be Mayor of the said borough for one whole year from thence next ensuing."

The election, in practice, is represented now to be conducted (ostensibly at least), in conformity with the charters. The common hall, held for the occasion, is said to be usually fully attended, and a contest occasionally to happen. Formerly, however, it was customary for the mayor to propose his successor, and for the meeting to acquiesce implicitly in his nomination. At present, his interference is stated to amount merely to a recommendation.

Deputy.

6. There is a power reserved by the charter to the mayor for the time being, to make and constitute one of the aldermen his Deputy, in case he shall be "so distressed with sickness that he cannot attend to the necessary business of the said borough, or shall absent himself from the said borough, for any reasonable cause, to be allowed by the aldermen and capital burgesses, or the greater part of them."

Functions, Privileges, and Emoluments.

The mayor, by virtue of his office, is a justice of the peace, and presiding magistrate at the quarter sessions for the borough.

He has the right of giving the casting vote; which has been exercised on a question of amotion of capital burgesses; but not on occasion of any election within living memory.

He has a salary of 25*l.* 10*s.*, with eight loads (or 48 bushels) of malt, and an ancient reserved mill-rent of 20*s.* per annum. Upon going out of office, he entertains the corporation and freemen, and the malt is allowed for furnishing ale to the freemen, and at the dinner.

About 25 corporators and 200 freemen commonly partake of this hospitality, the cost of which always exceeds the emoluments of the office.

Mayor, amotion of.

7. The Mayor is removable, under the charter, for any reasonable cause, at the pleasure of the aldermen and capital burgesses, or the greater part of them; in which case power is given to the aldermen, capital burgesses and freemen to choose and appoint one other of the aldermen for the time being to exercise the office during the remainder of the year. He is required by the charter to be dwelling and residing within the said borough.

Aldermen, election of.

8. The charter provides that, whenever it shall happen that any of the aldermen shall die or be removed (the which aldermen are to be removable, for a reasonable cause, at the pleasure of the mayor and the rest of the common council for the time being, or the greater part of them), then and so often it well may and shall be lawful for the mayor and common council, or the greater part of them (whereof the mayor for the time being shall be one) to elect and appoint one other or more respectively of the capital burgesses into the place of an alderman or aldermen so vacated.

Bye-law respecting same.

9. In pursuance of a Bye-law of the corporation, the mayor, in point of practice, always gives three days' notice of his intention to propose some one of the capital burgesses to fill up any vacancy in the body of aldermen; and no other person is deemed eligible than the one named in the mayor's notice. If the council refuse to elect the person recommended by the mayor, he gives a fresh notice of another nomination.

There has been no instance, however, within memory, of any such refusal; although there have been instances of refusal to elect the person recommended by the mayor to fill the office of capital burgess.

Aldermen, functions of.

10. The charter enacts that "two Aldermen of the borough for the time being, by the mayor and capital burgesses of the said borough, or the greater part of them (whereof our will is that the mayor for the time being shall be one), to be chosen and nominated yearly for ever, be in times to come justices, and each of them a justice of us, our heirs and successors, for preserving and keeping the peace, &c." And power is given them, with the mayor, to inquire concerning any smaller offences, defaults, &c.; and to execute all other things there which any custos or justice of the peace may inquire, &c.

As a matter of courtesy, the council request the mayor to recommend one of the justices, whom they usually appoint, as of course. The other justice is appointed at the discretion of the body at large. But this is represented merely as matter of arrangement among themselves, and not as regulated by any bye-law.

Aldermen and Capital Burgesses, numbers of.

11. There is a remarkable distinction in the charter between the provisions as to the requisite numbers to constitute the respective bodies of Aldermen and Capital Burgesses.

The charter specifically provides that there shall be within the said borough eight of the burgesses of the said borough, who shall be and be called aldermen; whereas it ordains merely that there shall be sixteen others of the burgesses and freemen of the said borough, dwelling and residing within the same borough, or fewer, as shall seem most expedient to the mayor and aldermen of the same borough for the time being, or the greater part of them, who shall be and be called capital burgesses.

The provision as to residence is omitted in the case of the aldermen.

There does not appear to have been a very scrupulous observance of the charter in respect to the provision as to the numbers of aldermen. In 1824 there were but four in addition to the mayor and two justices, and the same in 1830. There are, however, no functions annexed

to

to the office, except for those two who are magistrates; nor are there any salaries or emoluments.

Capital Burgesses, election of.

12. By the charter, "whensoever it shall happen that one or more of the Capital Burgesses shall die or be displaced from his office, the mayor and common council for the time being (whereof the mayor shall be one) may, at their will and pleasure, choose, nominate and appoint one other or more of the freemen of the same borough in the place or places," &c., to exercise the office during their natural lives.

They must, as already noticed, be resident within the limits of the borough.

Their numbers have generally been kept nearly full; but there were two vacancies at the time of the inquiry.

The mayor recommends, in practice, those who are to fill vacancies among the capital burgesses; but his recommendation, in this instance, has not always been implicitly followed.

They have no functions, salaries or emoluments.

Amotion.

13. The power of Amotion has been exercised, in the instances both of aldermen and capital burgesses, for repeated acts of non-attendance.

High Steward, election of.

14. The charter ordains that there shall be "a person of high repute and special eminence, who shall be and shall be called High Steward of the borough, for the executing of all things in anywise belonging to the same office for the public good of the said borough, by himself or his sufficient deputy." And, after appointing Thomas Savage, knight and baronet (one of the council of Charles, Prince of Wales, Duke of Cornwall and York, and Earl of Chester), to be the first and modern high steward for life, with remainder to his son and heir, John Savage, knight, for life, it provides that, after their deaths, "the mayor, aldermen and *burgesses* of the said borough for the time being, or the greater part of them (whereof our will is that the mayor for the time being shall be one), elect and appoint one other highly reputable and eminent man to be high steward of the said borough, to be continued in the same office, and to execute and perform his office, by himself or his sufficient deputy, during the pleasure of the mayor, aldermen and capital burgesses of the said borough for the time being, or the greater part of them (whereof our will is that the mayor of the said borough be one)."

This is interpreted by the corporation as conferring the right of *election* upon the mayor, aldermen and *capital* burgesses; and it is contended that, wherever it is meant to designate the *common* burgesses, they are described in the charter of James by the term freemen ("liberi homines"), and that the constant usage corresponds with that designation.

The present high steward (or recorder, as he is now commonly styled) was elected in 1798, at an assembly of the mayor, aldermen and capital burgesses only. He was created a free burgess previous to his appointment; but this is not requisite by the charter.

His predecessor was a clergyman, the Rev. Richard Lowndes Salmon, appointed 26th March 1796.

Functions.

15. The high steward generally presides at the court of pleas and court-leet; never at sessions. He has no salary or emoluments.

Town Clerk, election of.

16. The charter provides that there shall be "within the said borough, the liberties and precincts of the same, one honest and discreet man to be the common clerk, within the said borough, to do all things touching or concerning his office, and to be chosen from time to time by the mayor and common council of the said borough for the time being (whereof the mayor shall be one)."

The present town clerk holds also the office of deputy steward, under the appointment of the high steward; and the combination of these offices, though not necessary, is of frequent occurrence.

Functions and Emoluments.

17. The town clerk acts as clerk to the magistrates, receiving the usual fees of that office. He has 13*s.* 4*d.* paid quarterly for calling corporate meetings, attending and entering their orders; and the fees, hereafter mentioned, on creation of freemen. These, with the payments made to him for business done for the corporation as their solicitor, constitute the whole of his emoluments as town clerk.

There was formerly a salary of five guineas payable annually to the deputy steward; but that is discontinued; and he receives, in that character, only the essoign and court fees, varying in amount according to the quantity of business.

Catchpole and Serjeant-at-Mace.

18. It is provided by the charter, that "there shall be two Serjeants at Mace, of whom the first named serjeant at mace shall execute all writs, mandates, processes and such like within the said borough and liberties of the same, and shall be called the Catchpole, according to the name anciently given in that place to the same officer, and shall from time to time be nominated by the mayor, aldermen and capital burgesses and freemen of the said borough, or the greater part of them (whereof the mayor to be one); but the other serjeant at mace shall be chosen by the mayor of the said borough for the time being, and shall be called the mayor's serjeant; and the serjeant at mace, called the mayor's serjeant for the time being, shall be the keeper of the gaol of the said borough."

It then directs that they shall both, from time to time, be attending on and before the mayor, and shall carry two silver maces, engraven with the royal coat of arms, before him; and prescribes the manner in which the oaths shall be administered to them and to the common clerk.

CONGLETON.

They receive certain small fees in right of their respective offices; and the mayor's serjeant has a salary of 10*l.* 10*s.* a year from the corporation, and 5*l.* 5*s.* as gaoler, from the overseers, out of the rates, in lieu of gaol fees.

Subordinate Officers.

19. There is a long list of Subordinate Officers of the corporation: the bellman, claiming 6*d.* upon proclamations made for freemen, 9*d.* for others; the ale-taster, whose perquisite is a glass of ale yearly from every publican; the swine-catcher, levying 1*s.* upon each vagrant pig; and the dog-whipper, with a salary of 1*l.* 6*s.* 8*d.* yearly; are among the number. The latter office may be an offset from that of huntsman, which originated early in the last century, as appears from the following entry in the corporation books: "24th January, 1723. Ordered, that a pack of hounds shall be from henceforth kept within this borough, and that the mayor for the time being shall be the master thereof; and if any game shall be hunted, and an action of trespass commenced against any of the aldermen or capital burgesses present, it shall be defended at the cost of the corporation. The mayor shall retain and keep a proper huntsman for the purpose aforesaid, who shall be esteemed a menial servant to the said mayor, and shall receive five shillings wages from the mayor for the time being, out of the revenues of the said borough."

Another entry in the corporation books, above a century earlier (in 1621), equally attests the sporting character of this corporation: the town bear having died, it was ordered that certain monies (which it was afterwards asserted had been accumulated with a very different object), should be placed at the disposal of the bearward, to enable him to provide a new subject.

The office of bearward is now extinct.

Freedom.

20. The modes of acquiring the Freedom of this corporation are—

1. By birth; which is confined to the eldest sons of persons already admitted to their freedom.
2. By apprenticeship, served within the borough, whether the master be free or not.
3. By purchase. The compulsory process by which this acceptance of freedom is enforced, will be noticed under the head of fines.
4. By gift. The mayor for the time being claims, and generally exercises the right to appoint one freeman during the year of his office, and the privilege of appointing honorary freemen, commonly from among the gentry resident in the neighbourhood, has been asserted and used by the common council.

Freemen, Duties of.

21. There is no distinction between the freemen and other inhabitants as to the duty of serving on juries within the borough; and all are equally exempt under the charter of Henry VIII. from serving on county juries.

The exemption is uniformly acted upon.

Privileges.

22. The charter of Henry de Lascy, after granting to the free burgesses of Congleton a guild merchant, with all liberties and free customs to such a guild appertaining, provides, that they shall "have household and haybold and common of pasture for their beasts and cattle of all kinds every where within our territory of Congleton, with unlimited fuel, without the deliverance of any one on our part, when they shall need, as of turves and peats to be digged, dried and taken any where in the turbary of Congleton; and that they shall be quit of pannage, how many hogs soever they shall have within the bounds of Congleton; and that, by virtue of a charter of grant and confirmation of the liberties of our boroughs, which we have from our Sovereign Lord the King, they are acquitted for ever, throughout all places in Cheshire, as well by land as by water, under the defence and protection of us and our heirs, with all their merchandizes, from toll, stallage, passage, pavage, pontage, lastage and murage, and from all other impeachments which touch merchandizes."

This exemption from toll still prevails in practice throughout Cheshire, except at Stockport, where it has been disputed on the alleged ground that Stockport was not under the defence and protection of Henry de Lascy, and therefore that the provisions of his charter cannot affect that town.

Previously to the passing of the Inclosure Act, 35 Geo. III., hereafter mentioned, a right of common of pasture and turbary was exercised by the burgesses; but it was apprehended to have been in respect of their burgage tenements, and not of any personal right; at all events it does not appear that any such claim of right was ever made before the commissioners under the Act, nor was any complaint preferred before the municipal commissioners upon the subject.

Numbers.

23. The numbers of freemen, at the time of the inquiry, as far as could be ascertained, were, resident, 337; non-resident, 102; of these about two-thirds are computed to have become free by purchase, not more than 15 or 20 by gift.

Ruling Body.

24. The only variation from a strict exclusive system of self-election among the corporate officers in this borough, consists in the nominal election of the mayor by the freemen at large, but from among the body of eight aldermen. The futility of this provision towards effecting any thing like a representative system, in a corporation thus constituted, is proved by the fact that the mayor not only puts in nomination all who are to fill vacancies in the bodies of aldermen and capital burgesses, but has always either actually nominated or recommended his own successor; and it will hardly be contended that his recommendation may be evaded, when we consider the limited numbers of the aldermen who are not required to be resident, while the office of mayor is restricted to the resident aldermen.

25. The

25. The following are the Fees payable on admission to freedom. Fees.

	£.	s.	d.
By birth and apprenticeship:			
To the Corporation Chest		10	
Town Clerk		17	6
Serjeant-at-Mace		2	6
Stamp	1		6
£.	2	10	6
By purchase:			
To the Corporation Chest, from 3*l.* 3*s.* to	2	2	
Town Clerk		17	6
Serjeant-at-Mace		2	6
Stamp	3		6
£.	6	2	6
By gift from mayor:			
Town Clerk		17	6
Serjeant-at-Mace		2	6
Stamp	3		6
£.	4		6

Upon honorary admissions the corporation bears the expense of the fees.

The mayor, aldermen and capital burgesses pay each 10*s.* 6*d.* to the town clerk, on admission to their respective offices, for taking and registering the oaths.

26. The courts of criminal jurisdiction within the borough are those of the Quarter Sessions and the Leet. Courts: Sessions.

The mayor or his deputy always presides in the court of quarter sessions, the charter providing that he shall be one of those having authority to "hold within the said borough, liberties and precincts of the same, a general sessions or justiciary of the peace, concerning all matters and things happening in the said borough, liberties and precincts of the same, and *requisite to be heard in such like general sessions.*"

The fees are the same as those taken at the sessions at Chester and Macclesfield, a statement of which is given in the reports respecting those places; a written table of them is exhibited.

27. The Court Leet is held by the high steward or his deputy. Presentments of public nuisances, in the common form, constitute the principal business of the court. Leet.

28. A Court of Pleas is held twice a year, generally in August and December, at which the steward almost always presides, in his absence his deputy. Civil Court.

Causes to any amount may be tried in this court, but the average number tried at each court does not exceed two or three, and almost all that are entered go to trial; all personal actions may be instituted here. The process is by summons, under 40*s.*, by capias where the debt exceeds that sum.

The pleadings are in writing.

The catchpole executes the process, which issues upon a common affidavit of debt.

29. The governing charters reciting that "the town or borough of Congleton is a parcel of the possessions of our ancient duchy of Lancaster, in which town there are now three markets or fairs holden yearly, and one market on Saturday every week, &c.," grants to the corporation one fair or market, besides the aforesaid three, to begin upon Thursday next before the Lord's day, commonly called Quinquagesima, and to be held and kept for all that day, and the morrow after the same day every year, together with a court of Pie Poudre to be holden there in the time of the said fair or market, and with all liberties, &c. to this kind of fair and court appertaining. Pie Poudre.

The tolls at this fair are so inconsiderable as not to be worth collecting.

Those at the other fairs, which go to the lord of the manor, are more important in amount.

The court has fallen into complete disuse.

30. The mayor and justices issue their precept to the catchpole to summon the juries. Juries

The selection of the individuals to serve is left entirely to that officer.

One precept goes to summon 24 to serve both on grand and petty juries, and the catchpole distributes them on each jury, according to his discretion.

Twelve are summoned to the court of pleas, where they receive a trifling fee upon each cause.

Writs of inquiry are executed before the catchpole, with the assistance of the deputy steward.

31. Four constables are appointed at the latter court leet in December, by the jury. Local Police.

The mayor's serjeant-at-mace, one special constable and two beadles are also sworn in as peace officers before the mayor.

And six watchmen are appointed under the provisions of the general Act for lighting and watching.

CONGLETON.

This force is found to be sufficient, under ordinary circumstances, for the preservation of the peace within the borough.

No salaries are payable to the constables or other peace officers: they are remunerated for their services by fees, in the ordinary mode; the watchmen, by a rate on the inhabitants for their weekly wages.

Gaol.

32. The borough Gaol is the property of the corporation, having been built and upheld at their expense. An old gaol was pulled down, and the new one built upon its site in 1804.

The charter provides "that the serjeant-at-mace of the borough for the time being, called the mayor's serjeant, shall be keeper of the said gaol or prison."

It is under the control of the borough justices, and visited by the grand jury.

Very few persons, however, are confined in it; upon criminal charges they are seldom confined more than one night, and are then removed to the house of correction at Knutsford. If any remand to the borough gaol takes place, it is only from day to day, the magistrates being always on the spot. The few debtors confined here alone remain for any length of time, till discharged under the Insolvent Acts. The gaol appeared to be tolerably well kept and regulated. The cells underground are dark and rather damp.

Fines.

33. The imposition of Fines by the corporation, for the purpose of compelling resident tradesmen to come in and take up their freedom, appears to have been carried to great lengths in this borough, and although no instance has occurred in the present town clerk's time, of any action being commenced for refusal, several persons appear to have recently received notice of their having been admitted to the freedom, with a requisition to attend upon a day specified and take the oaths; whereupon they have prayed and been allowed time to submit.

In the late town clerk's time, an action of this nature was compromised by the party's submission, with payment of costs.

By a bye-law of 9th May 1757, the following Fines for refusal of office are imposed:—

	£.	s.	d.
Alderman refusing office of mayor without reasonable excuse - -	10	–	–
——————— office of justice - - - - - - -	5	–	–
Capital burgess refusing office of alderman - - monthly -	–	13	4
Free burgess that of capital - - - - - monthly -	–	6	8
Any inhabitant appointed, according to ancient usage, a free burgess, after 14 days' refusal - - - - - monthly -	–	3	4

Recoverable by action of debt, either in the court of pleas here or at Chester, or in the courts at Westminster.

By an order of 4th October 1824, these fines have been increased as follows:—

	£.	s.	d.
Alderman refusing to be mayor - - - - - - -	50	–	–
——————— justice - - - - - - -	20	–	–
Capital burgess to be alderman - - - - monthly -	2	10	–
Burgess to be capital burgess - - - - - monthly -	1	5	–
Inhabitant to be burgess - - - - - - monthly -	–	12	6

Thus the fines now stand; none have been enforced since the latter order; but no instance has occurred of resistance.

In two instances, the monthly fine of 13*s.* 4*d.* for refusal to take the office of alderman was imposed and levied for several months.

Property.

34. The income of the corporation is derived from the following sources:

Corn Mills.

Certain Corn Mills are held under the corporation, by an ancient lease for three lives and twenty-one years beyond, at a reserved rent of 190*l.* 16*s.* One of the lives is still in being.

Silk Mill.

There is also a Silk Mill held under them by lease, bearing date 23d November, 26th Geo. II. 1752, whereby, in consideration of 80*l.*, the same was conveyed for a term of 300 years, subject to a yearly payment of 1*s.* only.

The only covenant by which any permanent benefit could be derived to the corporation under this lease, was one whereby the lessee stipulated not to employ any servant, apprentice or workman without a certificate of his being an inhabitant of the borough; and of this they have been deprived by the assignment of the lease, the covenant having been adjudged not to run with the land.

Complaint has also arisen out of the erection of the silk mill, that the supply of water to the ancient corn mills of the corporation has become deficient, and that the inhabitants, who are bound to grind their corn at those mills are thereby damnified.

The silk mill lease contains this clause:—"with liberty also to make a gutter, sluice, sough or watercourse, arched or covered over, from or above the present bygate or sluice, &c. for conveying water from the said river to such intended silk mill, for the turning, working or driving the waterwheel thereof, so that the sluice, at the first passage or mouth thereof, in the head frame, do not contain more than 10 inches square, &c."

Contradictory evidence was given as to the effect of this diversion of the water upon the adequacy of the supply to the ancient corn mills; but upon the general improvidence of the latter lease there can be no doubt.

Town Wood.

35. A Bank of Wood, not accurately surveyed, but containing four or five acres, and managed by an officer called the "tender of the town wood," furnishes occasional profits to the corporation.

36. The

CONGLETON.

36. They have a farm called Brownswold's containing about eleven acres, under lease for ten years, of which about four are expired, at the yearly rent of 30*l.* It was let by auction, and the rent is paid with difficulty. Brownswold's Farm.

37. A Field adjoining the town wood, containing two acres, is let to the person who tends the wood at 9*l.* 10*s.* per annum; and there are sundry Chief Rents, producing yearly altogether about 36*l.* Field and Chief Rents.

38. Two Houses in the town, with some vaults, are let for 105*l.* per annum, and these, with the rents of the butchers' stalls in the shambles, and market-house, averaging about 118*l.* net rental, after allowing 30*s.* per month for expenses of collection, constitute nearly the whole real estate of the corporation. Houses, &c. Shambles.

39. The entire Income of the corporation in the year 1832, was 570*l.*, and from the nature of the sources of income, it may be taken as a tolerably fair average. Income,

40. The Debt consists of the following items:— Debt.

Principal.		Interest.
£.3,000	to Mr. Acton, at 4 per cent.	£.120 –
360	Mr. Sherratt, at 4½ per cent.	16 4
300	Mr. Thornhill, at 4½ per cent.	13 10
1,200	Mr. Whitehurst, at 4 per cent.	48 –
1,200	Mr. Faulkner, at 4 per cent.	48 –
324	Mr. Stringer, at 5 per cent.	16 4
150	Mr. Bennett, at 4½ per cent.	6 15
£.6,534	TOTAL	£.268 13

It is intended to reduce the whole to 4 per cent. forthwith.

41. The interest of the debt thus absorbs a very large proportion of the income. The debt has been incurred, as usual, in building. The corporation, in 1804, built the new town-hall and sessions house; and about 1822 they purchased, for 740*l.*, the land upon which Sir Edmund Antrobus built the assembly rooms, at his own expense, the corporation being at the expense of the erection of the market-hall contiguous thereto, and containing the shambles. Expenditure.

The other items of expenditure are principally the following. The whole in 1832 amounted to 555*l.*, which is about the average expenditure.

	£.	s.	d.
Yearly allowance to the mayor	25	10	–
Minister's salary (see Patronage, s. 42.)	25	–	–
Clerk's - ditto	5	5	–
Ringer's ditto	10	2	–
Organist's ditto	30	–	–
Mace-bearer's	10	10	–
Repairs of church, gaol, town-hall, &c.	47	6	–
Sundry charities	14	–	6
Poor's rates, averaged at	23	–	–
Paving streets, and repairing soughs	25	–	–

42. The corporation rents are received by the town clerk, free of any charge or compensation. Every quarter there is an assembly of the mayor, aldermen and capital burgesses, when the accounts are audited, the vouchers produced, and the statement allowed and signed by the mayor. How and to whom accounted for.

None of the freemen are ever present at the examination of the accounts, nor has any application ever been made for an inspection of them; if such were made, it would not be conceded as a matter of right, though it might in courtesy.

The accounts appear to be very regularly kept; but no printing or publication of them in any way takes place.

There appears to have been less waste of money in litigation, and more moderation on the part of the law officers of this corporation, than in others of equal revenue. Indeed, since the heavy debt was incurred in 1804, as before stated, a very commendable economy seems to have prevailed. The only items of important amount are the expenses of obtaining the charter of 6 Geo. IV., and those of defending the appointments of the town clerk and Mr. Done; an order to pay which out of the corporation chest was made on the 15th May 1815. The latter costs amounted to 36*l.* 1*s.* 1*d.*, after deducting the taxed costs of their opponents.

43. The corporation have the Patronage of the parochial chapel of Congleton; the repairs of which, as well as the salaries of the minister, clerk, organist, &c. are entirely borne by them. They also erected an organ there. The annual charge for salaries, with 3*l.* 3*s.* for tuning the organ, amounts to 73*l.* 10*s.* And there are other incidental expenses, beside the repairs. Patronage.

The present incumbent is the Rev. Charles Bishope Hodges, M. A., of Queen's College, Oxford, who was appointed perpetual curate in 1831, having been previously the acting curate of the chapel. In addition to the salary of 25*l.*, he has a house, belonging to the corporation,

CONGLETON.

corporation, which is annexed to the living, and inhabited by him; some glebe land, of which one field is in hand, the rest leased, the rent of two or three pews, and Queen Anne's Bounty.

The gross value of the whole (exclusive of the house) is only about 140*l.* per annum, out of which a curate is paid.

The incumbent holds, with the consent of the bishop of the diocese, a small donative in the neighbourhood, a private chapel at Somerford Park, in the gift of Mr. Shakerley.

Congleton is in the diocese of Chester.

Free Grammar School.

44. There is a Free Grammar School, also, in the patronage of the corporation. The present master is the Rev. Edward Wilson.

He has a house, garden and field, with the school-house rent-free. A salary of 18*l.* a year is attached to the mastership. But the school-house being too small to accommodate the scholars of the present master, the corporation, about 20 years ago, assisted him in enlarging the school-house, and built him an entirely new school-room; in consideration of which it was stipulated that the salary was to be suspended during the life-time of the present master.

Nothing is known respecting the origin of this stipend. The only deed now among the muniments of the corporation, relating to this school, is one conveying a small plot of land given to the school by the late Dr. Malbon, whose father and brother were masters of the school in succession.

The school is free for all sons of burgesses, to be instructed there in the Latin and Greek languages; charges are made for all other tuition. There are at present about 68 scholars, of whom 18 are boarders in the master's house.

The present master, on taking the school 23 years ago, found there from 30 to 35 scholars, and they have since increased to their present number. There is no instance of any scholar availing himself of the privilege of tuition in the Greek and Latin, free of charge.

Probably, about one-third only of them are sons of burgesses. Almost all are instructed in the Greek and Latin classics.

The present master performs the service at a small proprietary chapel, St. Thomas's, in the parish of Astbury, but not within the borough; at which there is no occasional duty.

Sunday School.

45. There is a Sunday School in connexion with the church at Congleton, at which about 500 boys and girls receive instruction; and an infant school recently established there, and rapidly increasing in numbers.

Charities.

46. The corporation are also interested, as trustees, in several Charities endowed within the borough; one of these alone (that of Dr. William Dean, applicable under his will, dated 4 May 1686, "to any pious use or uses, for the good of the borough aforesaid") produces an annual revenue, amounting to 60*l.*, one-fourth of which is at the disposal of the senior alderman, and another at that of the justices for the time being of the borough.

It is not, however, deemed proper to enter here farther upon this head of inquiry, than in stating that the charity accounts appear to be kept with great regularity, in a book alphabetically arranged by the town clerk.

Acts of Parliament.

47. The only local Acts of Parliament relating exclusively to the borough, are—

1. The Inclosure Act, 35 Geo. III., intituled, "An Act for dividing, and leasing or letting, certain Commons or Waste Grounds within the Borough and Township of Congleton, in the County of Chester, and for applying the Profits of part of the same in aid of the Poor's Rate, or other Taxes or Public Expenses, within the said Township."

2. The Congleton Gas Bill, 3 Will. IV., intituled, "An Act for lighting with Gas the Borough of Congleton and the Township of Buglawton, within the Parish of Astbury, in the County of Chester."

General State: Silk Trade.

48. The principal manufacture of Congleton is that of Silk. There has been a gradual improvement in the trade of late; although a slight check had recently been experienced at the date of the inquiry, in consequence of an advance in price of the raw material of silk as well as cotton. This was, however, attributed to a mere temporary cause; viz. the withholding of the ordinary supply, by the East India Company, at their recent sales. In thrown silk, the manufacture of Congleton exceeds in amount that of Macclesfield; but in fancy silks, and in the general extent of business, the latter has greatly the advantage, the manufacture of Congleton being almost confined to black goods.

There is a cotton factory just without the precincts of the borough, but none within.

The manufacturing population are actively employed at fair wages; women and children as well as men.

The silk goods are greatly exposed to depredation; and, from the smallness of the bulk in proportion to value, as well as from other causes, detection is difficult.

The only persons out of employ are represented to be young and able-bodied men, who subsist on these depredations.

The provisions of the recent Gas Bill may operate as a check upon the evil.

Prospects.

49. No new works have been commenced since 1825, nor are any at present in contemplation; the silk trade, notwithstanding its partial improvement, being still by no means such as to afford encouragement to fresh speculations.

50. The

CONGLETON.

50. The gross amounts levied under the Poor Assessment within the borough of Congleton, for three years previous to the inquiry there, were as follows: Poor.

For the year ending Lady-day 1831 - - - -	£.	3,156	10 1¼
Ditto - - - - - - 1832 - - - -		3,160	12 1
Ditto - - - - - - 1833 - - - -		3,166	1 11

Of the latter sum, there was applicable—

To the county rate - - - - - - -		359	15 6
To incidental expenses - - - - - -		769	16 10
To salaries of governor and matron of the workhouse -		70	– –
To lighting, &c. of the workhouse - - - -		44	4 –
Not capable of collection - - - - - -		137	13 3
Allowed on empty buildings - - - - - -		312	4 8

The residue only being applicable to the relief of the poor, and there being in arrear, at the date of the inquiry, no less a sum than 975*l.* 15*s.* 11¼*d.* The parochial assessment in 1825 was 1,046*l.* 13*s.*; in 1829 it was 1,563*l.* 17*s.*

Some children from the workhouse are employed in the factories; others are furnished with employment in the workhouse.

The Inclosure Act, 35 Geo. III., before-mentioned, provides, "That the money to arise from time to time, by leasing or letting the said remainder of the said commons or waste grounds, shall be applied and disposed of by the said trustees, or any five or more of them, in the relief and maintenance of the poor of the said borough and township of Congleton, and in aid or ease, and in discharge (so far as the same will extend) of the poor's rates within the same, in such manner as the said rates are directed to be disposed of and applied."

The lands thus held in trust for the poor of Congleton, were leased, for the year ending 2d August 1832, at rents amounting in the aggregate to 593*l.* 1*s.* 6*d.*, payable in February 1833.

The amount actually received was 560*l.* 2*s.* 9*d.*; the balance, after payment of all expenses, was handed over, pursuant to the Act of Parliament, to the overseers of the poor.

In 1833 the repairs and expenses were very great, in consequence of the lands being re-let in different plots, and new gates, soughing and draining being required; so that the actual balance paid over amounted only to 260*l.* 6*s.* 3*d.*

But an increased return is anticipated from these improvements in future years.

51. The Established Church and Schools in connexion with the same, have come under observation in ss. 42. et seq. Dissenting Meetings, and Schools.

The principal meetings of Methodists and Dissenters are,—

1. The Wesleyan Chapel, which will seat about 1,000, and has a congregation of 800 or 900. There is a Sunday school in connexion with it, having about 600 scholars of both sexes.
2. The Primitive Methodists, with a chapel for about 500, and a school in the same with about 200 children.
3. The Unitarians; a small congregation without any school attached,
4. Zion Chapel for Lady Huntington's Methodists; it will contain 300 or 400, but is not fully attended. There is a school in connexion with it.
5. The Independent Chapel for about 500; well attended. The school has 300 or 400 scholars.
6. The Kilhamites (separatists from the Wesleyans, and disciples of the doctrines of Kilham, an itinerant preacher in the days of Wesley,) have a small congregation, and assemble in a silk factory, used by them as a place of worship.

It is stated that in the potteries are some opulent members of this sect; here they are all people in a humble rank of life.

The entire population, by the last census, was 9,352. There are some Roman Catholics, principally among the Irish weavers; the number is estimated at about 300. They have a chapel and resident priest.

52. There are nearly 50 licensed public-houses and 52 beer-shops within the space of 300 yards; in one part of the borough are seven beer-shops; they are represented here as universally to have aggravated greatly the habits of intoxication of the lower orders. When turned out of the regular public-houses the people are said to resort thither, and very young boys to be found tippling at them in the outskirts of the town. Public-houses and Beer-shops.

53. It is represented as desirable that the jurisdiction of the borough justices should be extended, at all events, to the township of Buglawton, distant within a mile, and containing a population of nearly 3,000 souls; that part of the township which contains the manufacturing (and by much the largest) portion of the population, is separated from Congleton only by the Dane Enshaw Brook. Jurisdiction of Borough Magistrates.

No regular meetings of county magistrates take place nearer to that township than at Brereton Green, distant five miles, or Sandbach, seven miles; and consequently the county justices are in the habit of coming occasionally (about every six weeks or two months) to the town clerk's office in Congleton, there to transact business for the convenience of the neighbouring townships of Buglawton, Astbury, &c.

CONGLETON.

In like manner at Eaton, adjoining also to Congleton, are the Havannah mills, for silk and small ware manufactory, and a corn mill. Here also is a dense population, and on that side no resident magistrate nearer than at Macclesfield, eight miles distant from Congleton.

Population.

The Population of the borough was,—

In 1801	-	-	-	-	-	-	-	3,861
1811	-	-	-	-	-	-	-	4,616
1821	-	-	-	-	-	-	-	6,405
1831	-	males 4,474,		females 4,878		-	Total	9,352

Who were employed as follows:

Families employed in agriculture	-	-	-	-	27
Ditto, trade and manufactures	-	-	-	-	1,644
Ditto, not comprised in those classes	-	-	-	-	141

Real Property.

The annual value of the Real Property was estimated, in 1815, at 11,189 *l.*

Durham, 24th April 1834. *Geo. H. Wilkinson.*

List of Documents.

The following Documents accompany this Report:

A.B. Charters of Henry de Lascy and James I.
C. Inclosure Act.
D. Congleton Gas Bill.
E. Statement of Accounts 1832.
F. List of Court Fees, Borough Court.
G. Letter from Town Clerk.

3705

REPORT

ON

THE BOROUGH OF DENBIGH,

(DENBIGHSHIRE.)

CONTENTS.

	Page
I. Local Limits:	
By Charter	2661
Usage	2661
Jurisdiction	2661
II. Charters	2661
III. Title	2662
IV. Officers:	
Aldermen, Election of, practically	2662
Functions	2662
Bailiffs, Election and Functions by Charter	2662
Salaries	2662
Coroners	2662
Recorder, Election, Reservation to Crown	2663
Town Clerk, Election	2663
Occasionally Alderman	2663
Emoluments	2663
Leave Lookers	2663
Crier and Beadle	2663
Capital Burgesses	2663
V. Freedom:	
Freemen, Privileges and Duties of	2664
Numbers	2664
VI. Ruling Body, how elected	2664
VII. Fees	2664
VIII. Courts:	
Criminal, Quarter Sessions	2664
Civil, of Pleas	2664
Pie Powder	2665
IX. Juries	2665
X. Local Police	2665
XI. Gaols	2665
XII. Fines under Bye-laws	2665
XIII. Property:	
Allotment on Henllan Common	2665
Accar Forwyn Field	2665
Long Leases of Waste	2665
Poor-house	2666
Tolls	2666
Receiver	2666
Income of Debt	2666
Debt:	
Bond for Payments for Stamps	2666
Costs in case of Jones *v.* Williams	2666
in the Matter of Rees	2667
Money due to Eisteddvod Committee	2667
Expenditure:	
Distribution on St. Thomas's Day	2667
Division of Rent of Allotment	2667
Dinners	2667
Accounts, how kept	2668
XIV. Patronage	2668
XV. Local Act of Parliament	2668
XVI. General State:	
Trade	2668
Church, Dissenting Congregations, Schools	2668
Poor, Paving, Nuisances, Population, County Rate	2668
Prospects	2669
Magistracy	2669
List of Documents	2669

BOROUGH OF DENBIGH.

I. Local Limits.

1. THE boundaries of the borough of Denbigh have been the subject of considerable discussion and litigation; and although vaguely defined by the charters, a description more than ordinarily minute and particular has been supplied in recent times.

By Charter.

2. By the Charter of the 22d February, 2 Ric. II., they are made to comprise the town of Denbigh, and a mile and a half in compass about the town. By that of 20th June, 39 Eliz., the no less uncertain boundary is given, of "the town and borough of Denbigh, and half a league (*dimidia leuca*) in compass about it."

By the governing charter of the 14th May, 14 Car. II. the limits are described thus: "undequaque se extendat in unum milliarium et dimidium unius milliarii, anglice 'a mile and a halfe,' secundum communem acceptationem istius loci, ab alta cruce in mercatorio prædict. vill et burg. stante."

By Usage.

3. The borough of Denbigh comprehends the whole of the parish of Denbigh, and part of the parishes of Llanrhaiddr yn Linmarch and Henllan.

Upon the occasion of the contested election in 1826, the precise boundaries of the borough became the subject of frequent disputes before the assessor, and evidence was adduced of every description bearing upon a question of that nature. Many old witnesses were examined; some 90 years of age. The actual exercise of the corporate jurisdiction for many years past; the exercise of the franchise upon preceding contested elections, and the testimony of surveyors and parish officers were inquired into. The assessor acted upon the weight of testimony thus adduced, as to acts of jurisdiction and usage, without reference to the actual distance of the limits from the town or cross. And upon a point much debated, whether Henllan Steeple, or the mill there, formed the boundary in that direction, he decided, upon similar evidence, that the mill was the *terminus*.

The result of this discussion was, that the corporation caused a minute description of the boundaries thus settled, together with a map on which the same are delineated, to be enrolled among their muniments. An accurate copy of the entry in the corporation books was furnished, and is subjoined.

"From a well called Ffynnon Ddu, in the parish of Llanrhaiadr, yn Linmerch, to the river Clwyd, along the rivulet called Aberham, which crosses the turnpike road leading from Denbigh to Ruthin, thence along the river Clwyd, northwards, to the place where a rivulet, flowing from a well called Ffynnon Cneifuir enters the said river Clwyd; thence along such rivulet to Ffynnon Cneifuir, thence from Ffynnon Cneifuir to and including Plas Heaton, formerly called Plas Newydd, and a farm called Old Plas Heaton; thence from Plas Heaton, otherwise called Plas Newydd, to and including Garn House, thence to a field, formerly common land, lying immediately at the back of Henllan vicarage, including the whole of such field, thence to and including Henllan Mill, thence along the stream called Abermerchion to Ffynnon Abermerchion, where such stream rises; thence to and including the house called Leger; thence to and including the house called Fach; thence to and including the houses called Pandu ucha and Pandu issa; thence to and including the house called Penybryn; thence to an ancient boundary stone on the road from Denbigh to Nantglyn, at a place called Waen Twm Pi," thence to Flynnon Du, the boundary first mentioned.

Jurisdiction.

4. The Jurisdiction is exclusive within those limits, and extends over the whole borough, without any exception.

II. Charters.

5. The Charters relating to the corporation of Denbigh, produced upon the inquiry, were the following—

1. A charter, without date, in the French language, granted by Henry de Lacye, Earl of Chester, to the burgesses of Denbigh.
2. A charter of 25th April, 5th Edward VI. in which nine several charters of antecedent Sovereigns are inspected.
3. A charter of 27th March, 1st Henry VIII., and
4. One of 20th November, 22d Henry VII. being two of those inspected in the foregoing charter of Edward VI.
5. The governing charter of 4th May, 14 Car. II. in which five antecedent charters, granted to the borough of Denbigh, are inspected, viz. those of—

1.	20th June	39th Elizabeth.
2.	28th August	18th Edward I.
3.	27th October	6th Edward III.
4.	22d February	2d Richard II.
5.	10th December	2d Richard III.

The governing charter has always been preserved among the muniments of the corporation.

DENBIGH.

The other charters produced were accidentally discovered, about 16 years ago, among the papers of a deceased recorder of Denbigh, Mr. Williams, of Lodge, whose representative received the thanks of the corporation, on delivering these documents up to the corporate officers.

The translation of the governing charter sent herewith was made 40 or 50 years ago, by Mr. Parry, the head master of Ryddland Grammar School.

III. TITLE.

6. The governing charter following the charter of Elizabeth, incorporates the burgesses of Denbigh "per nomen aldermannorum, ballivorum, et burgensium, burgi de Denbigh." Since that time, the title has uniformly been "The aldermen, bailiffs and burgesses of the borough of Denbigh."

IV. OFFICERS.

7. The Officers of the corporation, are—

Aldermen	2
Bailiffs (or Sheriffs)	2
Coroners	2
Recorder	1
Town Clerk	1
Leave Lookers	2
Serjeants at Mace	2
Town Crier Superintendent of Police	1
Beadle	1
Constables	12 to 15.

The Capital Burgesses, constituting the common council, are 25 in number, of whom the aldermen, bailiffs, coroners and recorder compose a part.

Aldermen, election of.

8. The Aldermen are elected by the capital burgesses. The charter provides that the aldermen, bailiffs and capital burgesses of the borough for the time being, or the major part of them, of which one of the aldermen and one of the bailiffs are to be two, shall have power and authority, yearly and every year, on the feast day of St. Michael, to elect and nominate two "out of the number of the *burgesses* of the said borough, who shall be aldermen of the said borough for one whole year then next ensuing."

Practice.

9. Practically, however, the construction put upon this part of the charter by the corporation is, that the *capital* burgesses are to elect the aldermen from their *own body*. They meet on the charter day in a court of convocation (as it is called) or common council; thirteen at least, of whom one alderman and one bailiff form a part, being present; and proceed to the election of the aldermen for the ensuing year from among themselves. The recorder is not required to be present, but his deputy is always there to make a minute of the proceedings.

Aldermen, functions of.

10. The Aldermen are justices of the peace within the borough, with exclusive jurisdiction in all matters that can be determined by them. (*See* s. 68, hereafter.)

Salaries.

11. They have no salaries or emoluments.

Bailiffs, election of.

12. The provisions of the charter as to the election of Bailiffs are precisely in the same terms as with respect to the aldermen; and the same practical interpretation of them has been adopted. They are usually called Sheriffs in Denbigh.

Functions of.

13. The bailiffs are the returning officers of members to serve the borough in Parliament. They act as sheriffs in the Court of Quarter Sessions, and are the presiding judges in the Court of Pleas. They summon all juries, by precept from the aldermen, and have the execution of process from their own court.

By Charter.

14. The Charter, moreover, provides that the bailiffs shall have execution of all manner of writs, precepts, bills and warrants of the several courts at Westminster, and of all other justices whatsoever arising and happening thereafter within the said borough, the liberties and precincts of the same, so that no high or under sheriff, bailiff, constables or other officers from without, may enter the said borough, &c. unless in the default of the aldermen, bailiffs, and burgesses; in practice, however, this privilege is neglected, and the process from without comes direct, and without their intervention.

They are also the keepers of the common pound for the borough, and entitled to estrays, as to which they act, in all respects, as lords of the manor. But there being now no common land within the borough, the estrays are few.

Bailiffs' Salaries.

15. The bailiffs have an annual salary of five guineas each, as a compensation for the estrays, which they took before the inclosure of the common (more particularly noticed hereafter), and they have also some small fees on issuing executions in their borough court held every fortnight for the recovery of debts. They receive all fines, but account for them to the Crown, or expend them in the maintenance of the poor, to which they are required to be applied by the governing charter.

Coroners.

16. That charter provides that the aldermen for the time being, and the survivor of them, during one whole year after they have gone out of the office of aldermen of the said borough, shall be the Coroners within the borough aforesaid, the liberties and precincts of the same.

There have been instances of the same persons continuing coroners for three or four years, upon the re-appointment of the same aldermen. They hold all inquests within the borough, and have the usual statutory fees.

17. After

DENBIGH.

17. After appointing Sir John Salusbury, bart. to be the first and present recorder, the governing charter ordains that the aldermen, bailiffs and capital burgesses for the time being, or the major part of them, of whom one of the aldermen and one of the bailiffs shall be two, may elect, nominate and place in, after the death or the surrender of the said John Salusbury, one other honest and discreet person from time to time to be recorder of the said borough, who may exercise and enjoy the office of recorder at the pleasure and good liking of the aldermen, bailiffs and capital burgesses of the said borough for the time being, or the major part of them as aforesaid. Recorder, appointment of.

There is a reservation in the charter to the Crown of "full, sole and absolute power and authority from time to time of naming, appointing and constituting all and every recorder and town clerk of our town and borough of Denbigh aforesaid, who shall hereafter be chosen to execute the several and respective offices aforesaid," but there is no instance upon record of the exercise of this power by the Crown. Reservation to Crown.

The entries of the appointment in the books "to hold such office at the pleasure and good liking, &c.," are in accordance with the charter.

The present recorder, Mr. Griffiths, fills the chair occasionally at quarter sessions.

Within living memory there have been two appointments of clergymen, Dr. Middleton and Mr. Chambers, to be recorders.

18. Both recorder and town clerk have the power to appoint, and do in fact appoint deputies to execute their respective offices. Deputy.

19. The Recorder rarely attends in any of the courts. Upon one occasion only in the recollection of the present town clerk had he been called in to assist the bailiffs in their office of presiding magistrates in the borough court. Recorder, functions of.

20. The recorder has no salary whatever, but his deputy receives certain fees, which of late have amounted to not more than from 5 *l.* to 10 *l.* per annum. Salary.

21. The office of Town Clerk is not directly created or regulated by the governing charter, but the existence of the office is incidentally recognized, and the power of appointment to it, as well as to the office of recorder, reserved to the Crown therein; and the town clerk is required, together with the other officers of the corporation, to take the oaths of allegiance and supremacy. Town Clerk, appointment of;

In practice the town clerk is elected precisely as the recorder, by a majority of the capital burgesses, to be continued in office during pleasure of that body.

22. The town clerk acts as clerk of the peace, clerk of assize, and magistrates clerk; the present town clerk, Mr. John Copnar Williams, a solicitor resident near Denbigh, has ceased to practice in the profession since 1828. He is nominally continued in the office of town clerk, and his advice is occasionally asked respecting the affairs of the corporation, but the duties of the office are wholly performed by his deputy, Mr. James Vaughan Horne. The town clerk underwent a long examination before the Select Committee of the House of Commons on Municipal Corporations on the 19th March 1833. [Report tit. 3,682–3,913.] Functions of;

The town clerk is also one of the aldermen for the present year, and was several times an alderman when he was in the active exercise of the duties of town clerk. Occasionally an Alderman.

All indictments go through the town clerk's office, and in his character of alderman he has to pronounce judicially upon the sufficiency of indictments and convictions coming thus from his own office. An opinion however of high professional authority is stated by him to have been given in favour of the compatibility of the offices of alderman and town clerk of Denbigh.

23. His Emoluments as town clerk consist of fees upon indictments at quarter sessions, viz. from 2*s.* 6*d.* to 4*s.* upon each indictment, 1*s.* upon all recognizances, 1*s.* for swearing witnesses, &c. The appointment, taking the emoluments as clerk to the magistrates, and in all other ways into the account, was represented as not being worth more than 40 *l.* a year. Emoluments.

24. The Leave Lookers are appointed by the common council. Their office, which is quite gratuitous, is to superintend the assize of bread, and to act as searches of weights and measures. Leave Lookers, appointment of.

The office is generally executed by respectable tradesmen of Denbigh.

25. The Crier is appointed by the common council; he is also superintendent of police, for which office he receives a salary of 5 *l.* yearly; he has the usual small fees as crier. Crier.

26. The Beadle is appointed by the common council with a salary of two guineas a year. Beadle

27. The sole mode of acquiring Freedom here recognized is by gift from the common council. The capital burgesses have always exercised the right of admitting to the freedom of the borough any persons whom they think fit; H. R. Highness the Duke of Sussex and Lord Dinorben were the last admitted, It is considered that for the election of freemen there must be the usual majority of 13 capital burgesses, of whom one alderman and one bailiff must form a part; non-resident freemen may vote for corporate officers. But the last determination of the House of Commons, in 1741, established the right of voting for Members to serve in Parliament in the burgesses, *being inhabitants within the borough.* It was admitted on all hands that the avenues to the freedom of the borough were effectually closed against all persons, upon whose political tenets reliance could not be placed by the prevailing (or rather, exclusive) party composing the common council. V. Freedom.

DENBIGH.

Privileges of Freemen.

28. Previous to the Henllan Inclosure Act (hereafter noticed), the burgesses had a valuable right of common over about 150 acres of very good land, divided and inclosed under the provisions of that act. They are free from toll within the borough, and throughout Cheshire, Staffordshire, Gloucestershire, Herefordshire and Shropshire. By the charter of Ric. III. it is ordained that the burgesses shall be "free and acquitted in all his dominions and territories in England and Ireland, from soc sac toll and team cartage, stallage, payage, pannage, pontage, murage and all other customs and usages whatsoever," but the exemption now claimed is only stated to extend to the counties above-mentioned.

Duties of Freemen.

29. The duty of serving on juries falls on the burgesses exclusively within the borough; and the exemption conferred by the charter from serving on juries elsewhere has been claimed by them, and allowed by the judges of assize.

The offices of constable and other subordinate officers are served indiscriminately by all the inhabitants.

Numbers.

30. The numbers of freemen, upon the nearest calculation that could be made, were said to be 308 resident and 101 non-resident. Since the year 1827 not more than five or six have been created.

The numbers stated in the Parliamentary Return of 1833 were, of freemen, 352; of 10 *l.* occupiers, 57 in Denbigh, 20 in Henllan, and 23 in Llanrhaidr yn Linmerch.

VI. Capital Burgesses or Ruling Body, how elected.

31. In practice there is always a meeting of the Capital Burgesses in council previous to elections, to fill up any vacancy in the select body, at which some individual is agreed upon as a fit person to be put in nomination, after which a common hall is called, to bring the common burgesses together, in order to join the capital burgesses in the election of that individual.

An opinion had prevailed with the corporation that this nomination must in point of law (as it did in fact) originate with some member of the common council; but they have recently been advised that the burgesses in common hall have the right to put persons in nomination, and to elect them to fill up such vacancies in the select body. [See Minutes of evidence before Select Committee. s. 3,708.]

There has, however, notwithstanding that opinion, been no instance of any nomination, except by the council themselves, so that, practically, a mere system of self election has prevailed. For although it is stated that most of the resident burgesses attend at these elections, yet it is obvious that, if they have only to choose beetween persons nominated by different sections of the select body, the right of election gives no representative character to the assembly; and if the common burgesses have only to adopt, as is alleged, the nominee previously agreed upon among the capital burgesses, the ceremony of an election is a mere farce.

Still however the ceremony is performed; the deputy recorder has a book with a list of the names of the burgesses, and takes the poll; and to fill up the measure of absurdity, paupers and non-residents are admitted, ostentatiously, to this mock election.

VII. Fees.

32, Formerly a Fee of 10*s.* 6*d.* used to be payable to the recorder (or town clerk), and 2*s.* 6*d.* to the crier on the admission of a capital burgess, and 2*s.* 6*d.* to the former and 1*s.* to the latter on admission of a common burgess.

But the present town clerk about 20 years ago gave up these fees, and they have ceased to be taken ever since; the stamp duty of 3 *l.* is now the only expense incurred on admission.

No fees whatever are payable on admission to any office.

VIII. Courts: Criminal.

33. The only Criminal Court is that of the general sessions, which is held four times in the year, and differs in no respect from other courts of quarter sessions generally in its criminal jurisdiction. But appeals in cases relating to the settlements of paupers, &c. are not tried here, as they would in effect be appeals to the same two individuals who made the orders. The charter provides that the county justices shall not intermeddle or concern themselves with any felonies happening within the borough; but contains an exception of such matters that cannot be determined by the aldermen. (*See* s. 68, hereafter.)

A table of the fees charged and costs allowed at the quarter sessions, accompanies this report.

Civil Court of Pleas.

34. There is a Civil Court, styled, the "Court of Pleas," Personal suits to any amount may be instituted in it.

Until the year 1825 a process by summons and attachment of the goods of the debtor, without personal service prevailed here as in the court of the lordship of Ruthin, but has been discontinued since that time in consequence of the decision of the case Williams *v.* Lord Bagot in error—3 B. & C. 772.

The process now is by summons for debts under 40*s.*, above that sum by distringas; a defendant has three courts allowed for appearance after service of summons.

The pleadings are *ore tenus*, except in actions of slander, actions to try rights of way, and all such actions generally as are here called actions on the case.

The court is held from fortnight to fortnight; about ten summonses, on the average, used to be issued at each court, and about 30 causes above 40*s.* tried, *communibus annis*; but of late they have been much less numerous.

Upon judgment by default, the costs, including 5*s.* to the bailiff for levy are 1 *l.* 8*s.*; a trial hardly ever takes place. There is no table of costs; they are governed by those of the county court.

35. A Pie-

35. A Pie Poudre court was formerly held within the borough, one has been held in the time of the present town clerk, but of late years it has been wholly disused. Pie Poudre.

The Proceedings are minuted in paper books, and the earliest entry in any book produced was in 1790. Proceedings of Court of Pleas.

IX. Juries.

36. The same practice prevails both in the criminal and civil courts in the selection of Juries. The sheriffs make out a list at their discretion, of persons to serve on the juries, and issue their precept to the serjeant-at-mace to summon them.

The same class of persons serves in both courts; the juries are chosen from the substantial tradesmen, being burgesses; no complaints have ever been made either of their conduct or selection, nor is their any difficulty in practice in assembling the juries.

About 120 persons are said to be qualified within the borough to serve on the grand jury, and 160 or 170 on the petty jury. But there are many respectable inhabitants of the town not qualified as burgesses to serve.

X. Local Police.

37. The Local Police consists of the superintendent, and from 12 to 15 constables; ordinarily, the town is very peaceable, and this force is found sufficient. But at the fairs special constables are sworn in; and upon the strike of the colliers three or four years ago, it was found necessary to swear in 150. The constables take no fees; the magistrates occasionally order rewards to be paid to them.

The corporation do not make a practice of interfering with the management of the poor; upon extraordinary cases of pressure they have distributed money from the corporate funds.

XI. Gaols.

38. There is a lock-up house belonging equally to the county and borough; the county pays for the repairs, the borough contributing to the county rate; it is not much used, except at fair times, but largely then.

Anciently there was a Borough Gaol within the precincts of the Castle of Denbigh, which is still called the Burgesses' Tower; it is now, with the rest of that structure, a mere ruin.

All prisoners for offences committed within the borough are sent to the county gaol at Ruthin.

XII. Fines.

39. There has been no instance of any fine imposed for refusal to take office. Lord Kirkwall, when resident on his estate in the neighbourhood, refused to accept the office of alderman, without being subjected to any fine; no default of attendance of a sufficient number of capital burgesses on the charter-day has occurred.

Under Bye laws.

40. Under Bye-laws for the regulation of the town, fines have been imposed and enforced. The last bye-law, one for regulating waggons carrying coals, was passed on the 2d November 1832. The power to enforce such fines has never been disputed.

Important codes of bye-laws have been made, from time to time, for the regulation of the borough, an abstract of which accompanies this Report.

XIII. Property Allotment.

41. By Stat. 42. Geo. III. c. 69, an Act for dividing, allotting and inclosing the commons and waste lands in the parish of Henllan, in the county of Denbigh, it is, amongst other things, recited that the aldermen, bailiffs and burgesses of the town and borough of Denbigh, are entitled to common of pasture for all their cattle, at all times of the year, in and upon the forest of Lleweny, being part of the commons and waste lands situate within the said parish; and have also taken estrays within and upon so much of the said commons and waste lands as lie within the said borough.

And by section 17, it is enacted, That the commissioner should set out and allot unto the said aldermen, bailiffs and burgesses, and their successors, so much of the said commons and waste lands, lying within the limits of the borough of Denbigh, as should be equal in value to 50 acres of the average value of the whole quantity of the said commons and waste lands within the limits of the said borough, for and in compensation of their right to estrays within the said borough, and also for their right to common of pasture within the said Forest of Lleweny. And an allotment containing 56A. 2R. 4P. was, accordingly, awarded to "The aldermen, bailiffs and burgesses of Denbigh," in lieu of the estrays and right of common so enjoyed by them upon the Forest of Lleweny under the charters.

This allotment was let in 1806, being then fresh land, in several plots, for 186*l.* 19*s.* 5*d.* a year; but in 1821 it was relet in one lot for 14 years, after a valuation made by a surveyor of high respectability, at the yearly rent of 90*l.* The present tenants, who are the nieces of the lessee, a deceased capital burgess, under-let it at a reduced rent, and would gladly give up the holding; there are no buildings on it, and it lies contiguous to the residence and land of the lessee. The application of these rents will be noticed hereafter.

Accar Forwyn.

42. Under a very ancient deed, which was not produced, the corporation holds a field, called Accar Forwyn, in trust for the use and benefit of the Denbigh Grammar School.

The master of the school lets it for 15*l.* a year; the corporation never interfere respecting it.

Rents of Waste, Long Leases.

43. The Waste lands within the borough are the property of the corporation. Formerly they granted parcels of these lands on building leases for 99 years; but recently for 40 or 50 years, reserving small ground rents, which amount at present to 24*l.* 4*s.* 2*d.* Some of the 99 years leases have lately fallen in, and the properties have been leased at the best rent that could be procured.

DENBIGH.

Poor House.

44. The Poor House was purchased by the corporation; and is let by them to the parish, who laid out some money in repairs; in consideration whereof the rent has been reduced from 10 *l.* to 4 *l.*

Tolls.

45. The Tolls of the fairs and markets formerly were let for 20 *l.* yearly; eight or nine years ago were advanced to 60 *l.*; five years ago were let by auction for 120 *l.*, from year to year, and subsequently were let at 200 *l.*, the poor-rate payable by the lessors. But the tenant has proved that the rent is too high, and a large abatement must be made; it is considered that they cannot calculate in future, after the payment of rates, on more than clear 100 *l.* a year.

Receiver.

46. Mr. Thomas Hughes, one of the bailiffs, is Receiver of the rents for lands and tolls due to the corporation.

Income.

47. The Income of the corporation is stated as follows for last year:

	£.	s.	d.
Tolls, say	100	–	–
Rent of allotment	90	–	–
Ground (or chief rents)	24	4	2
Rent of houses	16	9	6
of stalls in shambles	7	10	–
of poor-house	4	–	–
£.	242	3	8

Debt.

48. The present debt of the corporation consists of the following items:

	£.	s.	d.
Balance due on bond (hereafter noticed)	300	–	–
Balance due of sums voted in aid of repairs of highways in the borough	135	–	–
Money advanced by committee of the Eisteddvodd (as hereafter mentioned	50	–	
	485	–	–

The first and last item alone are chargeable with any interest, and these are at five per cent; so that the annual charge on the corporation in respect of their debt, amounts to 17 *l.* 10.

Items of Debt, Bond for.

49. The principal item of the corporation debt was incurred under circumstances not very distinctly explained; but certainly in a manner and for a purpose arguing great defectiveness in the present control over the administration of the corporate funds.

Payments for Stamps.

Early in the month of September 1827, preparatory to a contested election, at which Mr. Biddulph and Mr. Frederick West were the candidates, the leading members of the corporation appear to have entered into a resolution to defray the expense of the stamps payable on the expected admission of a large number of burgesses to the freedom of the borough. In order to raise the money requisite for effecting this object, eight of the capital burgesses gave a bond, under their own private seals, conditioned for the payment of 451 *l.* with interest at five per cent, to an individual who had agreed to advance the money.

The corporation resolved to indemnify Mr. J. C. Williams, the town clerk, who laid out the money in procuring the stamps, and preparing the admissions under their direction; and accordingly an entry, signed by 14 of the capital burgesses, and dated the 8th September 1827, is found in the books, to the following effect: "Ordered, that J. C. Williams, esq. the deputy recorder, do procure a sufficient number of stamps for the purpose of introducing or writing thereon the admissions of free burgesses (&c.) amounting to 150 in number; and that he do procure and borrow such sum of money as may be necessary for that purpose, &c."

It was stated indeed that these payments for stamps were made without any reference to the interest in which these burgesses were, whose stamps were paid for; but it seems difficult to reconcile this proposition with the fact, not contradicted, but to a certain extent avowed, that the political bias of the council was very mainly on one side; and that, so far as lay in their power, no person was admitted if adverse to their partizan, Mr. Biddulph. The admission of the town clerk, in his evidence before the Select Committee of the House of Commons (s. 3,865), that "he certainly considered that the money was to come out of the corporation property," seems tolerably conclusive on this point.

That a portion of this money, amounting to near 200 *l.* paid for the stamps of parties who absented themselves, or are dead, never was, and probably never will be recovered, is a fact not affected to be denied on the part of the corporation.

It is true that the same candidates at a second contested election agreed to reimburse the corporation the sum thus expended by them for the stamps, and that one-third of the debt thus incurred has been liquidated; but the money so advanced by the candidates was applied principally to the discharge of another large item of debt incurred in a manner not the most creditable to the foresight and prudence of the corporation in the administration of their funds, which was thus:

Costs on Trial of Jones v. Williams.

50. About the year 1824, the present town clerk, being then an alderman of the borough, according to a practice prevalent there for many years, had appointed one of the capital burgesses to act as his deputy, during his frequent and long absences from the borough.

Among

Among other acts done by the deputy, in the judicial capacity assumed by him, he committed one Eliz. Jones to gaol for petty larceny; she brought an action of trespass against him for false imprisonment which was tried at Shrewsbury; and, upon a second trial (a new one having been granted, on the ground of a misdirection at the first), she obtained a verdict. An order of the council at a court of convocation, held 1st March 1825, was passed, by which the costs incurred in these proceedings were directed to be reimbursed to the town clerk. These costs amounted in the whole to about 500 *l.*

In the matter of Rees.

Another considerable sum was expended recently (in the matter of Rees and others) in consequence of the incorrect setting out of the style of the court, upon the trial of a prisoner at the borough quarter sessions. The matter was argued upon a writ of habeas corpus, and the costs incurred form an item of expenditure in the corporation accounts.

Debt due to Eisteddvod Committee.

51. The application of the 50 *l.* advanced by the committee of the Eisteddvod appears, from an entry in the corporation books of the 21st September 1830: At a court of convocation, "Memorandum, that 50 *l.* was received by the corporation from the committee of the royal Eisteddvod, holden at Denbigh in September 1828, in trust, to apply the interest to apprenticing poor boys belonging to Denbigh and Henllan, from the Blue Coat school at Denbigh."

The interest of this money is accordingly applied once in every three years (7 *l.* 10 *s.*) to that object.

Expenditure. Ground Rents, distribution of, on St Thomas's Day.

52. The annual sum of 24 *l.* 4 *s.* 2 *d.*, arising from ground rents, is principally applied in a distribution of small sums, from 1 *s.* to 4 *s.*, annually, on St. Thomas's day, among poor persons, burgesses or non-burgesses indiscriminately.

The aldermen and bailiffs distribute this gratuity, generally continuing it to those who have already been considered fit objects, if they still remain so; and admitting new applicants where the funds permit, according to their discretion.

Rent of Allotment, division of.

53. In former years the rent of the allotment, being considered in fact the property of the burgesses at large, used to be divided annually among them, share and share alike.

The inclosure Act passed in 1802. An entry appears in the books, of the date 1st May 1806, of a resolution at a court of convocation, "that a case shall be laid before counsellor Benyon for his opinion of the legality (*inter alia*) of such a division."

However, by a subsequent entry of 2d November 1807, a resolution of the convocation, appears "that it is the unanimous opinion of this council, that the entire disposal of the rents arising from the lands allotted to the corporation under the Henllan Inclosure Act, is vested in the majority of the aldermen, bailiffs and capital burgesses of this borough, provided the same shall be disposed of for the benefit and advantage of the aldermen, bailiffs and burgesses of the borough at large; and that the same ought *not to be divided in money* amongst the individual members of the corporation, but laid out in some improvement or charities, which shall be beneficial to the whole, as the said majority shall adjudge and think right."

Signed by 15 capital burgesses, of whom the present town clerk was one.

This public spirited resolution, however, appears to have been very short lived. On the 27th August 1808, we find the following entry: "Resolved, that the resolution (setting out the foregoing of 2d November 1807) be rescinded, inasmuch as it militates against the provisions of the Act of Parliament under which the corporation holds the land, and also against counsel's opinion on the subject."

The opinion of Mr. Benyon supporting this application of the rent, dated 1 Aug. 1806, was produced.

The origin of this division, it was admitted, may be traced to electioneering practices.

The proposition is said to have originated with the supporters of the candidate designated as of the tory party, and to have been adopted, as a point of self-defence by his opponents in the independent interest, for by this title the candidate who had the support of the common council at Denbigh was fortunate enough to be described.

The last occasion upon which this division took place was in 1824; previously to that time, while the burgesses were few in number, considerable sums (in some instances as much as 2 *l.*) had fallen to the share of each burgess, but when the numbers increased to 300 or 400, the dividend became comparatively insignificant; the burgesses thought it worth their while to be public-spirited; the division of the rent was discontinued, and it has since been applied, partly to subscriptions to the infirmary, partly to reparations to the town clerk, and to other useful objects specified in the account books.

It was represented by the town clerk as being a matter of much greater importance to obviate this division of the rent, now that the statute 2 Will. 4, c. 45, s. 32, has done away with the motives of a political nature for creating new burgesses, for, as he stated with much candour, if the constitution of the corporation is to remain the same, there would inevitably be no appointments of burgesses (or, at least, of such as would probably pocket their shares;) and the capital burgesses would keep the dividend in the fewest possible hands.

Dinners.

54. A sum of 15 *l.* used formerly to be allowed quarterly at each sessions to the aldermen and sheriffs for the purpose of providing a dinner on that occasion; much more than the sum allowed was, however, spent and charged occasionally to the corporation account. On one occasion a dinner bill for all the burgesses amounted to 68 *l.* 14 *s.* At a meeting of

DENBIGH.

the corporation in 1829, it was resolved to withdraw this allowance, which has been discontinued ever since.

Property, how accounted for.

55. The bailiffs, who are called here in general sheriffs, keep the accounts of the corporation. By an entry of 27th Aug. 1808, in was "resolved, that an annual statement of the accounts shall be exhibited by the persons receiving the rents, and placed on the hall-door on the 1st day of January in each year."

But this, like many other good resolutions, was fated to be of short endurance; it was acted upon, the town clerk thought, twice, but perhaps once only. The corporation accounts then became embarrassed, and this was avowed as the reason for their having been no longer exhibited to the public.

XIV. Patronage.

56. There is a Free Grammar School in Denbigh, to which the corporation send two boys in right of a subscription of 10*l.* long since made. The capital burgesses select the two boys.

The appointment to the mastership of this school is now vested in the Rev. W. Myddleton, as representative of the surviving trustee.

The master is required to be a graduate of one of the universities. The present is the Rev. John Roberts.

XV. Local Acts.

57. The Henllan Inclosure Act above-mentioned is the only Act of Parliament relating to the borough.

XVI. General State: Trade.

58. The staple trades of the town are shoe-making, tanning and glove-making, which are stated to have declined greatly of late years. The practice of the law was said to be in a flourishing state; the example set by the corporation may have contributed to its encouragement.

Church.

59. The parish church of St. Marcellus, called Whitechurch, is situate at a distance of above a mile from the town, and the only service ever performed there is the burial. The regular attendance for Divine service is at a chapel-of-ease, St. Hilary, which is supposed to have been, before the dismantling of the castle, the garrison chapel. It is placed within the precinct of the ancient castle, on a steep acclivity, often almost inaccessible in the winter time.

The morning service is performed in the English language; the evening in Welsh.

The present rector is the Rev. Richard Howard, D. D. rector of Beaumaris, in Anglesea, and resident there. The service in Denbigh is, of course, performed by a curate.

The depreciation in the value of the living is represented as enormous. In 1811 or 1812, it produced in one year 1,047*l.* The tithes are now let for 357*l.*; the surplus-fees amount to 20*l.* or 30*l.* a year; so that after paying the curate, and the very severe poor rates, which average above 80*l.* a year, the clear yearly value of the living is said to be now not 150*l.*

Dissenting Congregations.

60. There are four places of worship for Dissenters within the borough:—1. Baptists;—2. Calvinists;—3. Independents;—4. Wesleyan Methodists; and, a Roman Catholic chapel is now building.

The service in all, except the Wesleyan, is almost always in Welsh.

Schools.

61. Beside the Grammar School before-mentioned, there is the Blue Coat School, a National school, a school of the Independents, and several Sunday schools connected with the different congregations; at all of which the English language is taught.

Poor Rates.

62. The parochial assessment, for the year ending 25th March 1825, amounted to 983*l.* 9*s.*; in 1829 to 653*l.* 3*s.* Pauperism prevails in Denbigh to a great extent, and the poor-rates are represented to have been recently much increased from the adoption among the neighbouring land-owners, of a scheme for driving the agricultural labourers into the town, by pulling down the cottages on their estates.

Paving and Lighting.

63. The inhabitants of the borough have found it impossible to avail themselves of the benefit of the provisions of the general Paving and Lighting Act, from the circumstance of there being within it portions of three several parishes, which refuse to coalesce for carrying the Act into effect.

Previous to the passing of that Act, a "Lamp Society" had been formed in Denbigh, for lighting the town with oil; but the poverty of the place has constrained its inhabitants to dissolve that society, and they are now without any regulation on the subject.

Nuisances.

64. It is represented as highly desirable for the town of Denbigh to obtain a local Act, conferring more summary powers than those now in force for the removal of nuisances, and some legal warrant for making drains and sewers throughout.

Pigsties, and other offensive structures, bear certainly a very prominent part in the borough.

Population.

65. The increase of Population, noticed in the Population Returns, has continued since 1831. In 1811 it was 2,714; in 1821 it was 3,195; in 1831 it was 3,786.

The lower classes are represented as in a very squalid and wretched condition.

66. The

66. The County-rate is heavy. A sum of 4,000*l.* was raised three or four years ago, principally for erecting the gaol and a new bridge at Chirk. County Rate.

The debt is in the course of being liquidated, 1,000*l.* being already paid off. The quarterly assessment used to be 800*l.*, but is now 1,200*l.*

The annual value of the Real Property within the borough and parish, in 1815, was estimated at 6,859*l.* Real Property.

67. No public works are in progress, to hold out any prospect of early improvement. Prospects.

68. Some difficulty is found in procuring respectable persons to fill the office of aldermen, who in effect constitute the sole Magistracy of the borough; for although the clause in the Charter, which provides that the county justices shall not intermeddle or concern themselves with any felonies happening within the borough, contains an exception of such matters that cannot be determined by the aldermen; and although, upon the construction here put upon this clause, the county justices have in one instance in fact interfered during the absence of one of the aldermen, yet their right to do so is denied by the corporation, on the ground that the Charter authorizes the choice of new aldermen, in the event of one absenting himself; and, practically, the whole magisterial business is exclusively performed by the aldermen for the time being. Magistracy.

It was suggested therefore, as highly desirable, that a more permanent authority should be vested in the borough magistracy, without which an extension of the number of aldermen would be futile.

London, 3d Feb. 1834. *Geo. H. Wilkinson.*

I send with this Report the following Documents: List of Documents.

A. Written statement of answers furnished by the town clerk of Denbigh to the questions propounded by the Commissioners.

B. Translation of the Governing Charter of 4th May, 14 Car. II.

C. Table of fees taken in the borough court of Denbigh.

D. Table of fees charged by the town clerk of Denbigh at the quarter sessions.

E. Abstract of deeds and by-laws of and relating to the borough of Denbigh.

F. Statement of complaints.

G. Henllan Inclosure Act.

REPORT

ON THE

CORPORATION OF DINAS MWDDY,

(MERIONETHSHIRE.)

CONTENTS.

	Page
1. The Local Limits of the Corporation	2673
2. The Charters by which it is constituted	2673
3. The Title of the Corporation, a copy of the Governing Charter, and the date of all other Charters	2673
4. The several Officers of the Corporation, how and by whom elected or removed; the time for which they hold their respective offices; their respective functions and privileges, and their salaries and incidental emoluments	2673
Mayor	2673
Recorder	2673
Serjeant	2674
5. The mode by which Persons become free; their Duties, Privileges and Emoluments; the number of Resident and Non-resident Freemen	2674
6. By whom and from whom the ruling Body of the Corporation is elected	2674
7. Fees paid on admission to the Freedom or any Office in the Corporation, and to whom paid	2674
8. Courts, Criminal and Civil; the Officers or Magistrates presiding or otherwise acting in them; the extent of their Jurisdiction, whether exclusive or otherwise; the nature of their Process; what Fees are paid in them, and to whom; and Tables of Costs	2674
9. The Juries, Grand and Petty, Criminal and Civil, by whom and from whom selected	2674
10. The management of the local Police, and general regulation of the Town	2674
11. The Superintendence of the Gaols, by whom exercised, and under what control	2674
12. Fines imposed by the Corporation on their own Members or others	2674
13. The nature of the Property; the amount of Receipts of the Corporation, from whom derived, by whom received, to what purposes and by whom applied; how and to whom accounted for	2674
14. The Patronage, ecclesiastical and other, exercised by the Corporation, through whom dispensed	2675
15. A Schedule of the Dates and Titles of the Local Acts of Parliament relating to the Municipal Government or Local Taxation	2675
16. The general state and prospects of the Town	2675
Remarks	2675

BOROUGH OF DINAS MWDDY.

Limits.

1. DINAS MWDDY, or the City of Mwddy, is a secluded village of Merionethshire; it is always called the city by its inhabitants and by their neighbours, and has perhaps more houses than the city of St. Asaph, to which the title undeniably belongs.

Concerning its limits, the bailiffs of the city stated, that "the borough is mostly round; from this house, the Red Lion, to the boundary on the Bala road, it is about seven miles; on the Dolgelly road, five miles; on the Machynlleth road, two miles; and five miles on the road to Cann office." He remembered that they once walked a part of the boundaries. Another witness said there had been a perambulation about two years since.

Charters.

2. The recorder deposed, "that he did not know of any Charter; he never saw or heard of one."

An ancient mace was produced; it is borne by the bailiff or serjeant, and at the lower end is a seal, which it is usual for the mayor to set to the licence, whenever he grants one for a public-house.

Title.

3. There is no known Title.

Officers.

4. The Officers are a Mayor, a Recorder or Steward, and a Bailiff or Serjeant-at-Mace.

Mayor.

The Mayor is elected by the majority of the jury, from three persons nominated by the lord of the manor or by his steward; these must be burgesses, and the jury are burgesses also. At a court styled "The General Sessions of the Peace," 24 burgesses are generally summoned, but there are not always so many; 14 or 15 attend;" they are commonly unanimous. The recorder said, "I never found it otherwise, for there are no funds, and therefore there is nothing to dispute about." Persons, however, who had known the borough longer, remembered a difference of opinion and voting on these elections. The precept to summon the jury is signed by the mayor; they are summoned by the serjeant at mace, who is also the bailiff of the manor. The court is generally holden within a month of Michaelmas and of Easter, and then adjourned, so that the present mayor was elected on the 19th of December last. There will be a court to-morrow, 19th December 1833; the election is always at the Michaelmas general sessions. The mayor makes out the summons, and puts in the names of the jury. I have nothing to do with it; when I go, the list is produced, and the jury are in attendance. The mayor acts as a justice of the peace within the borough. He has no part to perform, except at the elections. The office is annual; but the same person is frequently re-elected for the succeeding year. He has no salary; but he receives some small fines for selling ale at the fairs; 1*s.* a head." It is customary, in many towns of North Wales, to sell ale in private houses, during fair time, without a licence.

The mayor quells disturbances at the fairs, and acts with a county magistrate in granting licences; he has not exclusive jurisdiction within the borough; it is concurrent with the county magistrates.

The present mayor is Thomas Evans, a farmer, residing at Cowarch, within the borough; he has held the office for four years at least, and is nearly 80 years old. The former mayor was a farmer also, Edward Jones by name; he is now dead. Of the present officer it was said, on the one hand, "he is a plain farmer, but a well-informed man, and he can write a good letter;" and on the other, "people seldom come before the mayor; they go to a magistrate of the county; he is only a countryman, and does not understand things, and is a very old man."

Recorder.

Hugh Owen, an attorney, aged 47, and residing at Machynlleth, is the present Recorder of the city and steward of the manor. He produced an appointment, dated 12th May 1829, under the hand and seal of the lord of the manor, and stamped. He is nominated thereby, "Steward of the Manor of Mwddy, and also of the city or borough of Mwddy," "during my will and pleasure." He is the solicitor and agent of the lord of the manor, as was his predecessor, Charles Jones, an attorney, of Machynlleth, on whose death Mr. Owen succeeded to the office, and acted for some time, without having received a written appointment. John Probert, a former recorder, was in like manner the lord's agent.

This officer is called in the appointment Steward of the city; but he was always styled, both by himself and by others, the Recorder. His duties are to keep the court rolls, and to hold the courts, and he is paid for his trouble as agent.

DINAS MWDDY. Serjeant.

The Serjeant-at-Mace, or Bailiff, who is also bailiff of the manor, was appointed verbally 22 years ago by the steward of the day, having been made a burgess previously, about 40 years since. His salary, one guinea a year, is paid by the lord. He carries the mace, summons the jury and performs the ordinary duties of his office. The present officer, Roland Hughes, is a schoolmaster and the parish clerk, and is 64 years old.

Freemen.

5. The Burgesses are elected by the major part of the jury; the last election was at the Spring Court, holden 6th May 1829, when eight persons were elected and chosen. The recorder produced a skin of parchment of that date, signed by eleven jurymen, with a stamp of 3 *l.* prefixed to the admission of each of the new burgesses. The stamps were paid for by the lord "to keep up the place." Dinas Mwddy is not a contributory borough. There are none, nor, indeed, any parliamentary boroughs in Merionethshire. A fee of 6*s.* 8*d.* is due to the recorder on the admission of a burgess, but it is never received. One of the burgesses who were elected in 1829 stated, that he paid half-a-crown when he was sworn in before the recorder. There are at present 19 burgesses. They reside within the borough. The expense of the stamp is most probably the cause of the smallness of the number. They are exempt from tolls at the fairs, and have a right of common, of common of turbary as well as of pasture. The soil, it is said, is claimed by the lord. Some suppose, however, that this right is not confined to the burgesses; it is exercised, in fact, very freely by all the inhabitants, inasmuch as the mountains which surround their habitations are ample and grassy. The advantage may possibly extend to rated householders, for one witness said, "They put taxes, 1 *l.* or so, on a small house, and if that is paid they may turn on the commons." The burgesses have no other privileges or property. There are six fairs in the year. The tolls are taken for the use of the lord. They are let to his gamekeeper for 9 *l.* a year; but this sum includes some fields, which are thought to be worth half the rent. The sums demanded are specified on a board. The lord's tolls are accounted a great nuisance, and are paid with reluctance. If any thing is pitched on the ground the mayor may demand a toll for his own use, and he may charge for stallage.

Ruling Body.

6. The will of the lord of the manor is absolute within the city of Mwddy.

Fees.

7. The Fees payable by a burgess on admission have been already stated.

Courts.

8. The recorder produced the last extract of the fines. It was headed, "At a Court Leet, View of Frankpledge and Court Baron," and comprised two fines of one shilling each. It was stated that a Court is held on two successive days at the Red Lion every Spring and Autumn, on the first day for the country, and on the second day for the city, and each has a separate jury. Nuisances are presented, and the ordinary business of a Leet is transacted. On the second day is the court, which is styled the General Sessions of the Peace, of which the jury must be burgesses. They are named the grand jury, and it is in this court that the mayor and burgesses are elected and sworn in. Many court-rolls were produced by the recorder written on paper, including that of the last court day, which resembled the court-rolls of the year 1777, and these were drawn out of the bundle fortuitously in all respects. The recorder had heard that actions for debts under 40*s.* were formerly brought in the court baron, but he did not remember any such. He had no books in his custody, nor any documents whatever relating to Dinas Mwddy, except the court-rolls.

Juries.

9. No other juries than those already described are summoned within the borough.

Police.

10. Four Constables are appointed for the city at the court; the parish has eight townships and as many constables. It is a quiet place, and the people are pretty sober. The mayor is a magistrate whilst in office; when he goes out his authority ceases. It has been shown that he is, in fact, appointed by the lord of the manor. It is manifestly unconstitutional and highly improper that any private gentleman, however well instructed and honourable,—it is far more so, and most unbecoming, that his steward, a country attorney, however respectable,—should possess and exercise the uncontrolled power of nominating a justice of the peace. However reprehensible the course here pursued may be in principle, it is most probable that in practice it has been altogether harmless. The present lord of the manor is John Mytton, Esq., of Halston, near Oswestry. He now resides in France. His family have long been in possession of the lordship. The rector of Malwydd is a county magistrate. He resides near at hand. The next justice, Mr. Tamberlayne, is 5 ½ miles off.

Gaols.

11. Besides the pinfold and the stocks, there is a crib; a little prison, in which a drunken man was lately confined for a few hours until he was sober, or at least fit to be set at liberty. The crib was built not long since, and the country, it was said, is unwilling to pay for it.

Fines.

12. The burgesses are called over at the courts; they appear, or pay 1*d.* each, as an essoign; on default they are fined 6*d.* for the use of the lord.

Property.

13. There is no other Property than the Mountain. Whether the burgesses be owners of the soil, whether they have an exclusive right of common, of pasture and of turbary, or whether they have that right together with the occupiers of land, with rated or other inhabitants, was not proved by any satisfactory evidence.

14. There

DINAS MWDDY.

14. There is no Patronage to offices in church or state. Patronage.

15. There have been no inclosures within the borough, no deprivation of pasture, or of turves, and no complaints, therefore, were heard on this head; Local Acts being wholly unknown to the remote and not unhappy place. Local Acts.

16. There are two churches: the parish church is at Mallwyd; the Rev. William Pugh, B.A. of Jesus College, Oxford, is the rector; he has had the living six years; he resides there constantly, and has no other preferment. There is a very small glebe, about one acre, and a house; the annual value of the rectory was once 400*l.*, but it has been reduced. It is in the diocese of St. Asaph, and the bishop is the patron. The service is performed exclusively in Welsh; the attendance is extremely small, all the inhabitants being Dissenters, Wesleyans or Independents; there is no school for children of the established church. There is a singular monument of a celebrated but long forgotten controversy, as to the proper position of the communion table, in the church at Mallwyd; it is the only instance in the empire, it is alleged, where it is not set against the wall at the east end. The rector of the day, Dr. Davis, placed it elsewhere, and retained it so placed, in defiance of Archbishop Laud, who fiercely contested the matter with him. As is common with eager spirits, the archbishop did not know what he was contending about, for had he visited the church, seen the table in the middle of the chancel, and remembered the position of the high altar in the Roman churches, it is probable that he would have been reconciled to the doctor's disobedience. State and Prospects.

The rector stated that he believed many charities had been lost, as many as twelve or fourteen; that all were gone, except one small piece of land, which the before-mentioned Dr. Davis had left to the poor.

A great quantity of flannel is made in the neighbourhood of Dinas Mwddy; they weave it chiefly at home, but there are also factories. There is no difficulty in getting employment; they can earn by agricultural labour 6*d.* a day, with meat, and in summer 1*s.* Nevertheless the poor rates are very high; the rates amounting to 12*s.* in the pound on one-third of the rent; that is, to 4*s.* in the pound. There are seven licensed public-houses in the city, but not one beer-shop.

The municipal institutions of the secluded city of Mwddy are trifling and harmless; to some they may appear venerable on account of their undefined antiquity; the rector of Mallwyd, for example, said, "they ought to be respected, because they are so old; I should be sorry if they were destroyed; I should lose a good dinner or two in the year." They are at least, therefore, favourable to good fellowship. Remarks.

The inquiry was taken at Dinas Mwddy, on Wednesday, 9th October 1833, and at Machynlleth, on Wednesday, 18th December 1833.

23 January 1834. *T. J. Hogg.*

A Table of Tolls is annexed:—

MANOR, BOROUGH and CITY of MOWDDWY.

A TABLE of ANCIENT TOLLS and other DUES payable to the Lord of the said Manor, Borough and City.

At Fairs:

	s.	*d.*
For every Horse sold at a Fair	–	6
For every Cow and Calf	–	5
For a Calf only	–	3
For every Ox, Heifer or other barren Cattle	–	2½
For a Bull	–	6
If two Horses be exchanged, and a difference in Money paid, the person receiving such difference to pay	1	6
The Person paying such difference	–	6
For every Parcel of Skins sold containing 40 in number	–	1
For a Pig	–	3

At Fairs and Markets:

For every Standing	–	1
For every Bag of Corn	a Toll Cup.	

Burgesses of Dinas are exempted from all Tolls.

REPORT

ON

THE BOROUGH OF FLINT,

(FLINTSHIRE.)

CONTENTS.

	Page
Local Limits:	
By Charter	2679
Charters, Custody of	2680
Title	2680
Officers:	
Mayor	2680
Bailiffs	2681
Recorder	2681
Serjeant-at-Mace and Constables	2681
Freedom	2682
Ruling Body	2682
Courts and Juries	2682
Police and Gaol	2682
Fines	2682
Property	2682
Inclosure Act	2683
Patronage	2683
Acts of Parliament	2683
General State:	
Trade of Port	2683
River Dee Company	2683
Imports and Exports	2684
Mines	2684
Labouring Class	2684
Church	2684
Dissenters	2684
Roman Catholics	2684
Education	2684
Public-houses and Beer-shops	2685
Holywell	2685
List of Documents	2686

BOROUGH OF FLINT

1. THE description of the Local Limits of the Borough of Flint contained in the Boundary Act is perfectly accurate. Those limits comprehend the whole of the parish of Flint (described in the most ancient documents as "parochia de Flint"), together with the township of Coleshill Fawr in the parish of Holywell. LOCAL LIMITS.

2. The Charter of Edward the Black Prince granted to the burgesses of Flint in the 34th year of the reign of his father (a printed translation of which is furnished), after reciting the inspection and confirmation of antecedent charters of 8th September, 12th Edward I., and 7th December, 1st Edward III., granted to the same burgesses, proceeds (among other matters of his more abundant favour granted to them), to state that, "because that in the aforesaid charters granted to the aforesaid burgesses, any certain metes, limits or boundaries to which the precincts of the said borough extend, and within which the liberties of the same borough ought to be exercised, are not specified; on which account the said burgesses have oftentimes, as we have heard, been disturbed, and also hindered in the enjoyment of the liberties granted to them;" it therefore provides, in order "that the liberties of the same borough may be exercised to the end of time, within the same place and limits, and as far as they go, according to the force, form and effect of the grants concerning the same liberties made by our predecessors and by us to the said burgesses, without hindrance, &c." "that the divisions, limits and boundaries of the aforesaid borough, and the liberties of the same, may be kept and observed within the limits and places underwritten, and may be had and kept for the divisions, limits and boundaries of the aforesaid borough henceforward for ever." By Charter.

It then describes the boundaries with great minuteness, of which description the following is the printed translation: "from the garden ditch of Ithel ap Blethyn, of Coleshill, on the south side, and so descending towards the east to the water of the Dee, and ascending towards the west by a certain division towards the land of Roger Morewych, and so across towards the north to a certain division between the land of Madoc the Thatcher and the land of Ithel ap Blethyn, and so following that division towards the west as far as the land of Richard le Barker, and from that land across toward the north as far as a certain division between the land of Ithel ap Blethyn and the land of Richard le Barker, and so following that division towards the west as far as the land of Adam de Hargrave, and thence across towards the north as far as a certain division in a certain valley between David ap Eigu and the land of Thomas Boteras, and so descending along that division towards the east to the land of David ap Eigu, and so across towards the north as far as a certain division between the land of* following that division towards the to the land of David ap Eigu, and following that division towards the as far as a certain brook called Janynesbere, and following that brook in its descent to Coleshill, and thence across towards the north to the land of the abbot of Basingwork, and to the land of the heirs of Eigu Loyt; and by the land of the same heirs towards the east, and so across towards the north to a certain gutter which is called in Welsh Aber-creper, and so descending by that gutter towards the east, to a certain road which leads from the house of Madoc Winter to the marsh, and so ascending by that line towards the west to the house of the aforesaid Madoc, and further ascending towards the west between the land of the same Madoc and the land of Elias del Medwe to the land of the heir of Roger de Praus, by a certain key of the aforesaid Madoc, and so across towards the north as far as a certain division between the land of the heir of Madoc Winter and the land of the heir of Roger de Praus, and ascending by that division as far as the land of Adam de Cockerham; and thence across towards the north by the land of the same Adam, as far as a certain brook called Maynscogh brook, and so descending by that brook towards the east as far as a certain brook between Coleshill and Bakkeleigh, and so ascending by that brook to the spring of the same brook, and so ascending from thence towards the west by a certain key between Bakkeleigh and Coleshill, to Halkynbache, and so following Halkynbache towards the south to Coleshill brook, and so following Coleshill brook in its ascent to Carnathloc brook, and so following Carnathloc brook to the boundaries of Northhope; and so ascending to a certain ditch of David ap Ithel Vaughan, between Redyinton and Northope, and so following that ditch as far as the boundaries by the aforesaid ditch, as far as a certain gutter between Leadbrokvaghan and Onderston, and so following that gutter as far as a certain ditch which is between Ondeston and Leadbrokvaghan, and so following that ditch to the headlands of the Lillions of Leadbrokvaghan, and so following those

* The original Record or Charter has been injured, and the words defaced, where the blanks are left in this page.

FLINT.

those headlands as far as a certain other ditch by the aforesaid headlands, and so following that ditch to a brook which is called Leadbrook, and so descending to the water of the Dee."

Charters.

3. The charter of Edw. I., after erecting the town into a free borough, proceeds to provide, among other privileges conferred on the burgesses, that if any of them should be charged or indicted for any offence, they should not on that account be imprisoned so long as they should find good and sufficient bail to stand trial thereon before the chief or other justice deputed for that purpose; that all the lands thereby assigned to the burgesses should be entirely diswarrened and deforested; that Jews might not dwell in the same borough at any time; that no sheriff should interfere with them concerning any trial, action or charge, or any thing belonging to the town (saving, however, the pleas of the Crown); that they might have a guild mercatory, with a company and other customs and liberties belonging to that guild; that no one who should not be of that guild might exercise trade in the town, unless with the consent of the burgesses; with various other important rights and privileges, among which the only valuable one at the present day is, that "they may be free through all our land from toll, lastage, passage, murage, pontage and stallage, and from line, danegelt and gaywyte, and all other customs and demands in our whole dominions, as well in England as in all other our lands."

This charter was followed by one from his grandson, respecting whom, in Pennant's Wales, it is stated (vol. i. p. 64.) that "Edward III. in his seventh year, had, by charter, granted to his gallant son the castles of Chester, Beeston, Ryddland and Flint, and all his lands there, and also the cantred and lands of Englefield;" and he notices "in 1335, 9th Edw. III. an order to the Black Prince, as Earl of Chester, to take in safe custody the castles of Ryddland and Flint."

The same changes which have dismantled these castles and left them mouldering ruins, have almost obliterated the privileges of the burgesses themselves. The castle of Flint was dismantled in 1647, by order of the House of Commons.

Charters, custody of.

4. A Latin copy of the enrolment of the Charter of the Black Prince, the original of which was stated to be in the Exchequer Office at Chester, was produced by Mr. Eyton, one of the bailiffs of the borough. The printed translation sent herewith was stated to have been made by the keeper of the records at Chester, but not to be in all respects perfectly accurate. It was found impossible notwithstanding diligent search and inquiry, to procure an authenticated copy of the original Charter, in order to collate the same with the translation.

This must be considered the governing charter; for no information could be obtained of any other existing charter. In Pennant's Wales, i. p. 63, it is stated, that "in 1283, the town received its first charter, was made a free borough, and the mayor sworn faithfully to preserve its liberties." Dated at Flint, 8th September 1283. "And that it was confirmed again 2 and 3 Philip and Mary, and 12 W. III." But of these confirmations no other evidence was furnished.

Title.

5. The Title of the corporation is "The Mayor, Bailiffs and Burgesses of the Borough of Flint."

Officers.

6. The Officers of the corporation are,

Mayor	1
Bailiffs	2
Recorder	1
Serjeant at Mace	1
Constables	4

Mayor, how appointed.

7. By the charter of Edw. I., inspected and confirmed by the subsequent charters of Edw. III., and the Black Prince, the constable of the Castle of Flint for the time being (who is appointed by the Crown) is Mayor of that borough. The original appointment of the present constable, David Pennant, esquire, of Downing, son of the celebrated author and antiquary above quoted, by letters patent under the privy seal (a copy of which is furnished), bears date the 8th June, 49 George III. The patent was never renewed during the reign of his late Majesty King George IV., though the functions of the office continued to be exercised, and the salary to be received by the present constable.

The present patent is dated 21st Dec. 1 W. IV. and, equally with the former patents, confers the several offices of constable of the Castle of Flint, keeper of the gaol of the said Castle, comptroller of all records, pleas, fines, &c. whatsoever, before the King's justices in the counties of Chester and Flint, and also before all officers and ministers in the said letters patent mentioned; and comptroller of all pleas, fines, amerciaments and redemptions before the justices of North Wales, in the county of Caernarvon, parcel of the possessions of the principality of North Wales, during pleasure, &c.

Mayor, functions of.

8. The Mayor appoints the recorder, and he stated his belief that the annual appointment of the two bailiffs rested with him; but this, with reference both to practice and to the charter, must be understood (notwithstanding the statement in Pennant's Wales, i. p. 60), merely as a privilege tacitly conceded to him, on some former occasion, to recommend the bailiffs to the choice of the burgesses, as hereafter stated.

No active functions appertain now to the office of mayor of Flint.

9. Originally

FLINT.

9. Originally the entire salary payable to the Mayor was 40*l.* 8*s.* 4*d.* made up as follows: Mayor, Salary of.

	£.	s.	d.
He received, as Constable of the Castle - -	10	–	–
Keeper of the Gaol - - - - - -	6	1	8
Comptroller of Chester and Flint - - -	12	3	4
Comptroller of N. Wales (Caernarvon) - -	12	3	4
	40	8	4
From which was deducted, £. s. d.			
Poundage - - - - - - 2 – –			
Auditor's fee - - - - - - 1 8 –			
Stamps - - - - - - – 1 7			
	3	9	7
Net Salary - - £.	36	18	7

But, for the last five or six years, the salary has been reduced by the withdrawal of the two last items payable to him as comptroller; and the whole salary is more than absorbed by the annual payment of the recorder's salary, and the dinner given at the court leet to the bailiffs, recorder and jury.

10. The charter provides that the "Burgesses may, every year, on the Feast of St. Michael, elect two fit and sufficient Bailiffs from among themselves, and present them to the said constable as their mayor, who in the presence of the said mayor and burgesses may swear that they will faithfully execute the office of their bailiwick." Bailiffs, election of.

In practice, the election is ordinarily, but not necessarily, made out of the body of the jurors (being burgesses) assembled at the court leet on the charter day, 29th September. The old bailiffs generally recommend who shall be their successors.

They are sworn in before the recorder; the mayor takes no part in the election; indeed the present mayor is stated by Mr. Eyton, one of the bailiffs, who has resided thirteen years in Flint, not to have been seen by him there during the whole of that period.

11. The Bailiffs have no other functions now appertaining to their office, than to preside at the court leet, and to act as the returning officers of members to serve the borough in Parliament. Until within a very few years the office was occasionally filled by very illiterate persons: At the last election but two, neither of the bailiffs of the borough could write, and they actually signed the return to the writ as marksmen. The more respectable inhabitants, acting under the advice of the intelligent clergyman, who is now one of the bailiffs, and of his colleague, have agreed to fill the office in rotation; and under their auspices, it may be expected that the affairs of the borough will in this and in all other respects be placed on a much better footing than heretofore. Bailiffs, functions of.

12. The Bailiffs have no salaries or emoluments whatsoever. Bailiffs, Salaries of.

13. The Recorder is appointed by the mayor; he is not a chartered officer, and it should seem that he is appointed during pleasure; the predecessor of the present recorder, however, on the appointment of his successor, protested his belief that the office did not determine with that of the constable of the castle; but he took no steps to enforce his supposed right to retain the office. Recorder, appointment of.

The present recorder, Mr. J. Oldfield, was appointed in 1811. He is a solicitor, residing at a place called the Farm, near Abergele, 25 miles from Flint; and is also the recorder of Caerwys.

14. The Recorder has the custody of all the documents relating to the corporation, and assist the bailiffs in holding the court leet on the charter day. Recorder, functions of.

The court-book, produced to us as being the oldest in his possession, commenced in the year 1783 with the following entry:

"At a court leet and court baron of our Sovereign Lord the King, held at Flint, in and for the borough of Flint, on Monday the 29th day of September, being the Feast of Saint Michael, 23d Geo. III. 1783, before Owen Salusbury Brereton, esq., constable of his Majesty's Castle of Flint, and mayor of the said borough, and John Lewis and William Jones, bailiffs thereof." Then follows the appointment of bailiffs by presentment of the jury, as fit and proper persons to serve the office.

The first entry in which the "Recorder" is introduced into the style of the court, is on the 29th September, 41 Geo. III. Indeed it was considered by one of the bailiffs to be a designation assumed, in this borough, arbitrarily, and that the title of Deputy Constable would be a more fit description.

15. The Recorder receives a salary of 8*l.* 8*s.* yearly from the mayor, and has no other emoluments from the office. Recorder, Salary of

16. The Serjeant at Mace is appointed for life by the mayor; the present serjeant has held the office thirteen years. His functions are, to attend the bailiffs with a silver mace of great antiquity, and to serve the process of the court. Serjeant-at-Mace, appointment of, &c.

He has an annual fee of 10*s.* 6*d.* in right of the office.

FLINT.

Constables. 17. The four Constables are appointed at the leet in the usual form, and exercise the ordinary functions of their office, subject to the control of the county magistrates, with the accustomed fees and some small rents, or acknowledgments paid for encroachments on the waste, amounting altogether to about 20*s.* per annum.

Freedom. 18. All male inhabitants, duly qualified by residence and otherwise, who pay scot and lot within the borough, have a right to vote as burgesses in the election of Members to serve the borough in Parliament, and also in the election of the two bailiffs. They have no other duties, privileges or emoluments than these.

Number. The number of scot and lot voters in Flint is stated in the Parliamentary Returns to have been 361; of 10*l.* voters 14, in the year 1833.

Ruling Body. 19. To the small extent, practically, for which any Ruling Body can be said to exist in this borough at the present day, the power must be considered to reside in the two bailiffs, whose election, both in law and in fact, is by the resident burgesses paying scot and lot.

Fees. 20. No Fees whatever are paid by the burgesses, or upon admission to any office.

Courts. 21. There is no criminal court, except the Leet, at which nuisances are presented by the jury, and directions given for the cleansing of sewers and ditches by the highways.

Encroachments also upon the waste lands within the borough, which are deemed the property of the burgesses, are presented at the leet, and partially abated, from time to time, in assertion of the right.

No action has ever been brought or proceeding had within living memory in the court baron, nor is there any minute or tradition of such.

Juries. 22. About a week previous to the holding of the court leet on the charter day, a precept goes from the constable of the castle to the serjeant-at-mace, commanding him to summon the jury for that court; one or both of the bailiffs then make out a list of names of persons fit to serve on the jury, which the serjeant-at-mace takes to the recorder, and he inserts them in the summons.

A dinner is given on the leet day at the expense of the constable of the castle, to the recorder and jury, and to the bailiffs, if they think fit to attend. Both the old and new bailiffs generally attend the court.

Local Police. 23. For the last five or six years four constables have been sworn in at the leet instead of the two formerly appointed, and these are found hardly adequate to preserve the peace of the town. They have a rude class, consisting largely of sailors, colliers and foreigners to deal with, and the system of combination and striking for wages has prevailed so extensively in the neighbouring collieries, as to have called for a permanent station of military at Mold, distant about six miles from Flint.

The local police of Holywell is noticed at the end of this report (s. 40.)

The Reverend William Maddock Williams, incumbent of the perpetual curacy of Flint, and one of the present bailiffs of the borough, is in the commission of the peace, and the only acting magistrate resident within the borough.

The nearest resident justice without the borough lives three miles, and the next six miles distant from Flint.

Gaol. 24. There is no borough gaol or poor house. The great sessions were formerly held here, and the town hall is claimed as the property of the county.

Fines. 25. There are no fines imposed by the corporation on their own members or others, except the small fines (generally 6*d.* or 1*s.*) imposed at the court leet upon parties guilty of encroachments or nuisances.

Property. 26. The only Property belonging to the corporation consists of some trifling rents or acknowledgments (before-mentioned as being divided among the four constables), payable in respect of certain encroachments upon the wastes within the borough, and which from 1811 to 1826 amounted to 30*s.* yearly, but now produce only about 20*s.* The reason assigned for this reduction is, that the Crown having, about the year 1786, sold the ancient castle to the county, together with a 'quillet' or small piece (about an acre) of land, out of which a portion of these rents issued, the rent ceased to be paid in 1826, upon the county magistrates offering the castle for sale.

This they did under a contemplated plan for removing the county gaol to Mold, where the assizes are holden.

About two years ago Lord Kenyon offered 1,500*l.* for the castle and appurtenances, but a majority of the magistrates being then adverse to incurring the expense of building a new gaol, the scheme for selling it is at present abandoned.

One of the grants of these small portions of the waste was produced; it was entitled, "At a court leet and view of frankpledge held at the common hall at Flint (which is now claimed by the county), in and for the borough of Flint, 29th September 1736, before Sir George Wynne, constable, and Edward Ellis and Robert Pritchard, gentlemen, bailiffs of the town and borough aforesaid, and suitors of the court then and there present;" and concluded with a license under the hands and seals of the bailiffs, and 12 jurymen granted upon petition to enclose part of the waste.

27. The

FLINT.

27. The charter (as before noticed) contains a clause, common to nearly all the charters granted by King Edward I. to Wales, that "all the lands now assigned to the same borough may be entirely diswarrened and deforested." The exercise of acts of ownership over the waste lands within the borough by the bailiffs and burgesses, has been already to a certain extent adverted to. Inclosure Act.

By statute 53 Geo. III. c. 69, intituled "An Act for inclosing Lands in the township of Flint, in the county of Flint," reciting that "there are within that part of the borough of Flint which lies within the township of Flint, in the county of Flint, certain marshes, commons and waste lands, containing in the whole 276 acres, or thereabouts, whereon the owners and occupiers of ancient inclosed lands within the said township of Flint, or some of them, have from time immemorial enjoyed right of common of pasture: And whereas certain of the owners and occupiers of ancient inclosed lands within that part of the said borough of Flint which lies in the township of Coleshill Fawr, in the parish of Holywell, in the said county of Flint, also claim to be entitled to right of common of pasture upon the said marshes, commons and waste lands within that part of the said borough of Flint which lies in the said township of Flint: And whereas the King's most excellent Majesty, in right of his Crown, is lord of the manor of Flint, and in respect of the said manor is seised of the soil and seignory of the said marshes, commons and waste lands, subject nevertheless to such rights and interests in and to all mines of lead ore, and other minerals under the same, as belong to the Right honourable Robert Earl Grosvenor, under and by virtue of a certain grant heretofore made, and now vested in him, and also subject to such rights and interests in and to all beds and seams of coal in and under the same marshes, commons and waste lands, being parcel of the lordship of Englefield, as belong to Sir Thomas Hanmer, baronet, under and by virtue of a certain grant also heretofore made, and now vested in him the said Sir Thomas Hanmer: And whereas Sir Pyers Mostyn, Sir Edward Pryce Lloyd, baronets, William Lewis Salusbury Trelawny, Bagot Read, Bryan Cooke, esquires, and others, are owners and proprietors of divers messuages, lands and tenements within the said township of Flint." A commissioner is appointed for dividing, allotting and inclosing the said marshes, commons and waste lands.

By s. 49 there is a "saving of the right of Robert Earl Grosvenor, his heirs and assigns, to the lead mines under the lands to be inclosed." By s. 50 there is "a saving of the right of Sir Thomas Hanmer, his heirs and assigns, to the coal under the lands to be inclosed."

By s. 51 there is a "saving of the rights of his Majesty to all other the mines, &c." By s. 52 "manorial and other rights are saved." By s. 53 there is a "saving of rights of the River Dee Company." And by s. 54 there is a "general saving of all rights."

But there is no special saving of any rights of the burgesses, nor is the existence of any such right in the slightest degree recognized either by the Act itself, or by the commissioners appointed under its provisions. This was represented to us (and apparently not without abundant reason) as an unjust sacrifice of the privileges of the burgesses, who were stated to have exercised largely a right of common of pasture upon the wastes, as well as the other rights before-mentioned.

A similar disregard of such privileges has prevailed very generally throughout the principality of Wales.

The award of the commissioners, dated 24 July 1830, was produced; it recites that the commissioners of woods, &c. had already sold the Crown allotments (which they are empowered to do under s. 28) being equivalent (under s. 26) to one-twentieth part in value of the whole land enclosed. In fact these allotments had been sold above 10 years before the date of the award, and one of the best houses in the parish had been built thereon.

28. There is no patronage, ecclesiastical or other, exercised by the corporation. Patronage.

The tithes of the parish of Flint belong to the Bishop of St. Asaph; those of Coleshill Fawr to the lay impropriator of the vicarage of Holywell. The living of Flint is a perpetual curacy in the see of St. Asaph, and in the gift of the bishop of that diocese. The present incumbent is the Rev. W. Maddock Williams, M. A., of Baliol College, Oxford, and one of the present bailiffs of the borough.

29. The only Act of Parliament relating exclusively to the borough is the Inclosure Act above referred to; the River Dee Navigation Acts are noticed hereafter. Acts of Parliament

The trade of the Port of Flint is represented on all hands as rapidly increasing. General State and Prospects.

The obstructions to the navigation of the higher parts of the æstuary of the Dee, by the shifting of the sands, have not affected that part of the channel by which the port of Flint is approached. It is in consequence becoming in a great measure the port of Chester. Vessels discharge here, especially when laden with timber, which is floated up, or taken in lighters to Chester. Trade of Port.

30. This circumstance now renders the powers vested in the River Dee Company the more a subject of jealousy and complaint on the part of the burgesses of Flint. River Dee Company.

That company was first incorporated by statute 14 Geo. II. c. 8, under the title of "The Company of Proprietors of the undertaking for recovering and preserving the Navigation of the River Dee."

The statute 31 Geo. III. c. 88, intituled, "An Act for confirming an agreement between the Company of Proprietors of the undertaking for recovering and preserving the Navigation of the River Dee, and certain Lords of Manors and other persons entitled to right of common upon the wastes and commons, and the old common salt marshes lying on the south side of the

FLINT.

the said river, below or to the north-east of Greenfield Gate, in the county of Flint, and an award made in consequence thereof;" after reciting the provisions of the original Act of 6 Geo. II. c. 30; of the before mentioned Act of 14 Geo. II. c. 8; of the 17 Geo. II. c. 28; and of the 26 Geo. II. c. 35, proceeds to confirm the several deeds and instruments made and executed by virtue of those Acts; and provides that "the same shall be binding and conclusive upon all persons having, or who may hereafter have or claim to have, any right of common upon the said common salt marshes adjoining to the said lands of the said Company below, or on or towards the north, north-west or north-east of Greenfield Gate aforesaid."

It was stated that the surrender thus made of all claim that the burgesses might have had in respect of their right of common, and the deprivation of river frontage consequent thereon, had shut them out from the prospect of great advantages to be derived from the construction of docks, should the increasing trade of the port demand such a measure.

However, the capital requisite for these works, done or contemplated, must necessarily be drawn from some source foreign to the borough; and no public company could be induced to embark capital in such an undertaking without some such concessions as those contained in the foregoing Acts of Parliament.

Exports and Imports.

31. The following is the account of Exports and Imports for the year ending 5th January 1833:

FLINT PORT, CHESTER.

With coals, coastwise, *outwards:*

	Number of Vessels.	Tonnage.	Men.
	570	31,982	1,657
Other vessels, with sundries:			
	113	7,393	345
	683	39,375	2,002

Coastwise, *inwards,* with sundries:

	131	7,285	381
Coals - -	1	46	3
Slates - -	9	226	19
	141	7,557	403

Inwards, from America, with timber, six vessels.

Inwards, from Ireland:

	13	790	48

Outwards, to Ireland:

Coals - -	74	4,719	260
Sundries - -	4	225	12
	78	4,944	272

Mines.

32. The neighbouring Lead Mines are still worked to a great extent, and have been from very remote antiquity; at a place still called in the Welsh language the "Furnace Hamlet" ("Pentre Fwrndan"), and in several of the old lead-washes, many Roman coins, *fibulæ,* and antique instruments, have been found; and hearths, with vestiges of the ancient mode of smelting, in alternate layers of wood and lead, have been discovered.

The coal mines in the vicinity furnish also active employment to very large bodies of workmen.

Poor Rates

33. The Poor-rates, notwithstanding the heavy pressure of Irish casual paupers, are light, amounting only to about 2*s.* in the pound, on an estimated valuation of two-thirds of the rack-rent.

Labouring Poor.

34. A large body of miners were drawn from this district to work in the English mines during "the strike." Their places have been supplied by inhabitants of the inland districts of Wales who speak the Welsh language only; but nine-tenths of the population of the borough speak the English language.

Church.

35. The service at the Established Church is performed, both in English and Welsh, every Sunday; the morning service in the one language, and the evening in the other, on alternate Sundays.

Dissenters.

36. The Dissenters have three places of worship; two in private houses, and one chapel. Some of them attend the church also.

A majority of the population of the borough are of the Established Church.

Roman Catholics.

37. The Roman Catholics have a chapel at Holywell, distant about four miles.

Education.

38. There are Sunday schools for boys and girls, and a national school, maintained by subscription; and although there are no charities or benefactions to be disposed of by the corporation,

corporation, the system of education within the borough is said to work well; and few children can be found within it unable to read. Among the older persons there are many such. In the management of the schools, no distinctions are made on the score of religious persuasion.

Public-houses and Beer-shops.

39. The corporation do not interfere respecting the licensing of Public-houses. The pernicious consequences of the Beer Bill in this neighbourhood were forcibly dwelt upon. The secluded houses were represented as being nests of infamy and juvenile depravity; the immediate result of the Bill to have been a succession of serious disturbances in the town. It was said, that the monopoly of the brewers had been increased, by establishing their own beer-houses almost exclusively; and it was inferred that consumption upon the premises ought not to be legalized, but that perfect freedom to brew for private use should prevail.

Holywell.

40. It may be proper, finally, to notice the fact, as nearly connected with the municipal regulation of the borough of Flint, that a deputation, consisting of three gentlemen resident in Holywell, (viz.) Mr. Richard Addison, merchant, Mr. Alfred Grainger, solicitor, and Mr. Peter Williams, surgeon, attended here, and deposed as follows: That having had frequent conferences with the principal inhabitants of Holywell, they were enabled to speak the sentiments of a large majority of their fellow-townsmen, whose intention it had been to convene a public meeting for the purpose of expressing those sentiments, if they had received earlier notice of the attendance of the Commissioners at Flint.

That, for the sake of the improvement of the local police of Holywell, they are desirous of having it placed in the situation of other towns, of no greater importance and population, which have been incorporated.

That the Census of 1831 gives a population of 8,969 souls to the entire parish of Holywell, comprehending part of the borough of Flint; viz. the township of Coleshill Fawr, and that Holywell is the largest town in North Wales after Wrexham. That the nearest resident magistrate to Holywell, Mr. Pennant of Downing, constable of the castle, and mayor of Flint, resides three miles from Holywell and seven from Flint, and is declining in a great measure to act, on the score of his advanced age.

That the Marquis of Westminster, lord of the manor of Holywell, in right of the Marchioness, claims to be entitled to all tolls and stallage of the markets, which are extensively attended by persons coming from distant parts of the country, and are said to produce about 200*l.* a year, and to be actually let for 110*l.*

That the inhabitants have lately re-established certain fairs, which they were empowered to hold under a grant from Queen Anne; and the tolls to be taken at these fairs, three in number, may be expected to produce a considerable revenue.

That the new borough of Flint, as assigned by the Boundary Act, will contain a population of about 6,000.

On these grounds they begged to suggest the expediency of incorporating Holywell, either independently or as an appendage to Flint; but especially with a view to the obtaining a local magistracy, as, in the present state of the neighbourhood, they represent it to be highly improbable that any of the resident landholders will take upon themselves the duties of that office.

On the other hand, however, it was submitted, that the poor-rates of Holywell are already very heavy, exceeding those of any two parishes in Wales; that the increase of their burthens by a rate to support a local police, would be a very unpopular measure with the inhabitants at large, and that, on this ground, many of them were very adverse to the proposed scheme of incorporation.

The following statistical facts are given from the Population Returns and Parliamentary Papers:

1. English statute acres, not stated.

2. Population:

1801	1,169
1811	1,433
1821	1,612
1831 - males 1,130, females 1,086 - Total	2,216

Occupations, viz.

Families employed in agriculture	70
Ditto, trade, manufactures, &c.	130
Ditto, not comprised in above classes	282

3. Annual value of real property, 1815, 1,933*l.*

4. Assessed taxes for years ending 5 April—

1829	£. 81 6 2
1830	81 6 2
1831	68 18 1

5. Parochial assessment for years ending 25 March—

1825	£. 311 13 -
1829	344 7 -

6. Number of houses in 1830—

£. 10 and under £. 20 rent	4
20 „ 40 „	2
40 and upwards	6

FLINT.

7. Number of electors registered under new Act in 1832:

Names of Places.	Scot and Lot Voters.	£.10 Voters.	OBSERVATIONS.
Flint - - -	361	14	Not properly classified, as there are great many more 10*l.* voters, and which are incorporated with the scot and lot voters.
Overton - -	254	- - -	No classification.
Rhyddlan - -	169	- - -	- - ditto.
Caerwys - -	128	- - -	- - ditto.
Caergwill - -	64	40	- - ditto.
Holywell - -	- - -	176	New place.
Mole - - -	- - -	91	- ditto.
St. Asaph - -	- - -	62	- ditto.
	976	383	

Grand Total - - 1,359 voters.

Authorities—

1. 2. 3. Population Returns - 1831
4. Parliamentary Paper 1831 - - Number 69
5. Ditto - - - 1830 - - - 83
6. Ditto - - - 1831 - - - 202
7. Ditto - - - 1833 - - - 189

London, 11th Feb. 1834. *Geo. Hutton Wilkinson.*

List of Documents.

The following Documents accompany this Report:

A. Returns of imports and exports handed by the officer of customs at Flint.

B. Printed copy of a translation of the charter of the Black Prince, granted to the burgesses of Flint.

C. Answers furnished by the recorder of Flint.

D. Copy of the patent of the constable of the castle and mayor of Flint.

E. Act for inclosing lands in the township of Flint, 53 Geo. III., c. 69 (local).

F Act for incorporating the undertakers of the navigation of the river Dee, 14 Geo. II., c. 8 (local).

G. Act for confirming an agreement entered into between the said undertakers and certain lords of manors and others entitled to rights of common, 31 Geo. III., c. 88 (local.)

REPORT

ON

THE CORPORATION OF LIVERPOOL,

(LANCASHIRE.)

CONTENTS.

	Page
PRELIMINARY Remarks on the early state of the Borough	2689
I. Local Limits	2689
Parochial Division	2690
Parliamentary Boundary	2690
Limits of the Port	2690
II. Charters	2690
Of John	2690
Henry III.	2690
Edward III.	2690
Richard II.	2690
Henry IV.	2690
Philip & Mary	2690
Charles I.	2690
Charles II.	2690
James II.	2690
William & Mary	2690
William III.	2690
George II.	2690
George III.	2690
George IV.	2691
Letters Patent of William III.	2692
Abrogated Charters	2692
Towns Duties, question relating to	2692
Boundaries of the Port	2693
Under the Dock Acts	2693
Receiver, Appointment and Salary of	2693
Auditors	2693
Collection	2693
Statements of the Right	2693
Exemptions	2693
Amount	2694
Pressure	2694
Inequality	2695
Litigation, Lancaster Freemen	2695
London Cheesemonger's Company	2695
Mollyneux *v.* The Corporation	2695
The Corporation *v.* Bolton & Co.	2697
Attempts to evade liability	2697
Seals	2697
III. Title of the Corporation	2697
IV. Officers	2697
Mayor, Election of	2698
Functions of	2698
Privileges of	2698
Salary of	2698
Bailiffs, Election of	2698
Functions and Emoluments	2698

	Page.
Coroners, Functions and Emoluments	2699
Recorder, Election of	2699
Functions of	2699
Salary of	2699
Common Clerk, Election of	2699
Functions of	2699
Duties	2700
Salary of	2700
Aldermen, Functions and Emoluments	2700
Common Council, Election of	2700
Functions of	2702
Working of the Constitution	2704
Petition for reform of	2704
Arguments of advocates of present system	2705
Common Council, mode of Election	2706
Special Functions	2706
Emoluments	2706
Sub-Bailiffs, Election, Functions and Salaries	2706
Deputy-Mayor, Appointment of	2707
Sword-Bearer, Election, Functions and Salary	2707
Clerk to the Magistrates	2708
Treasurer	2708
Clerks of, Salaries	2708
Duties	2708
Collector	2708
Surveyor	2708
Functions, Salary, &c.	2708
Per centage on New Custom House	2708
Draftsmen	2708
Out-door Assistant	2708
Receiver and Auditor of Towns' Dues	2708
Clerk of Committees	2708
Serjeant at Mace	2709
Billet Master	2709
Beadle	2709
Bellman	2709
Water-Bailiff or Harbour-Master	2709
Deputy	2709
Governor of Borough Gaol	2709
Turnkeys and Watchmen	2709
Superintendant of Police	2709
Keeper of Town Hall	2709
Leave Looker and Market Lookers	2709

CONTENTS—*continued.*

		Page.
V.	Mode of acquiring Freedom	2709
	Gifts of Freedom	2710
	Bribery at Elections:	
	Reports of Select Committees:	
	March 1831	2710
	March 1833	2710
	July 1833	2710
	Evidence on present Inquiry	2711
	Complaints of Mode of acquiring Freedom	2711
	Honorary Gifts of Freedom	2712
	Sales of Freedom	2712
	Freemen, Duties and Privileges of	2712
	Exemption from Toll	2712
	Numbers of	2712
VI.	Fees on Admission	2712
VII.	Courts:	
	Criminal, Quarter Sessions	2713
	Petty Sessions	2713
	Civil, Court of Passage	2713
	Court of Requests	2714
	Petition from Guardian Society, respecting	2714
VIII.	Juries:	
	Grand Jury	2714
	Petty Juries	2714
	Coroners' Juries	2715
	Juries in Civil cases	2715
IX.	Local Police	2715
	Constabulary Force	2715
	Dock Police	2715
	Superannuation Fund	2715
	Toxteth Park Police, expediency of incorporating it with Liverpool	2715
X.	Gaols	2716
	Bridewell	2716
	Dock Bridewell	2716
	Lock-ups	2716
XI.	Fines	2716
XII.	Property	2716
	Corporation Balance Account	2717
	Debt, amount of	2718
	Origin of	2718
	Mode of creation	2718
	Income	2719
	Leases	2719
	Towns' Duties	2719
	Anchorage	2719
	Fines on Leases	2720
	Sales of Ground Rent	2720
	Markets	2720
	Weighing Machines	2721
	Oil-House	2721
	Graving Docks	2721
	Estate Salthouse Dock	2721
	Estate Wapping	2721
	Tobacco Warehouse	2721
	Old Tobacco Warehouse	2721
	Baths	2722
	Improvements	2722
	Chain Cable Trial Machine	2722
	Birkenhead Estate	2722
	Tenants at Will	2722
	Disbursements	2722
	Annuities	2723
	Salaries and Stipends	2723
	Rectors, &c.	2723
	Town Clerk	2723
	Law and Parliamentary Expenses	2723
	Deputation	2723
	Police Expenses	2723
	Borough Gaol	2723
	Taxes and Leys	2724
	Town Hall	2724
	Streets and Highways	2724
	St. George's Church	2724
	St. Michael's and St. Luke's Churches	2724
	George's Dock	2724
	Subscriptions and Gratuities	2724
	Free Schools	2724
	Public Walks and Gardens	2724
	Barracks	2724
	General Disbursements	2724
	Black Rock Lighthouse	2725
	Moveable Landing Piers	2725
	Town Clerk's contingent Charges	2725
	New Custom House	2725
	Contingent expenses of ditto	2725
	Opening and widening Streets	2725
	Seven years' Expenditure on different Heads	2725
	Seven year's Income	2725
	Sundry current Disbursements	2725
	Mode of keeping and publishing Accounts	2726
	Complaints respecting Corporation Expenditure	2726
	Wallasey Pool Purchases	2727
	Purchases and Sales between Corporation and Members of the Council	2729
	Churches	2729
	Portraits, &c.	2729
	King's College	2729
XIII.	Patronage, Ecclesiastical	2729
	Rectory of Liverpool	2729
	1st Mediety, St. Peter's Church	2729
	2d Mediety, St. Nicholas Church	2730
	St. George's	2730
	St. Luke's	2730
	St. Michael's	2730
	St. Martin's	2731
	St. Paul's	2731
	St. Thomas's	2731
	St. John's	2731
	St. Anne's	2731
	St. David's	2731
	St. Catherine's	2731
	St. George's Lectureship	2731
	St. Mary's Chapel (Indigent Blind)	2731
	Other Churches	2732
	General Remarks on Patronage	2732
XIV.	Acts of Parliament	2732
XV.	General State and Prospects	2734
	Schools in connexion with Established Church	2735
	Of Dissenters	2735
	Of Roman Catholics	2736
	Methodists, Day and Sunday	2736
	Population	2736
	Roman Catholic Population	2736
	Assessments to Relief of Poor	2737
	Irish Poor	2738
	Workhouse	2738
	Watch, Scavengers and Lamps	2738
	Public Houses and Beer-Shops	2738
	Merchant Seamens' Hospitals	2738
	District Provident and Friendly Societies	2739
	Increase of Revenue from Customs	2739
	Causes and consequences of Prosperity	2739
	Mechanics' Institution	2740
	List of Documents accompanying this Report	2741

BOROUGH OF LIVERPOOL.

Preliminary Remarks on early state of Borough.

THE rapid progress of the town of Liverpool in wealth and population during the eighteenth century, and from thence down to the present time, forms one of the most striking statistical facts presented to our consideration in the local histories of Great Britain.

In the reign of Henry VIII. it is thus summarily dismissed by the King's antiquary:—"Lirpole, alias Lyverpole, a paved town, hath but a chapel." He points, however, to the nascent causes of its prosperity in the following terms: "At Lyrpole is small custom paid, that causeth merchants to resort. Good merchandize at Lyrpole, and much Irish yarn that Manchester men do by ther." (Leland, vii. 56.)

Its small importance in early times is testified also by Camden in the reign of Elizabeth:

"Litherpoole, Saxon Liperpole, commonly called Lirpoole, from a water extended like a pool, according to the common opinion; where is the most convenient and most frequented passage to Ireland, a town more famous for its beanty and populousness than its antiquity. Its name occurs in no ancient writer, except that Roger of Poitou, who was lord, as then styled, of the honour of Lancaster, built a castle here, the custody of which has now for a long time belonged to the noble and knightly family of Molineaux, whose chief seat is in the neighbourhood at Sefton, which Roger aforesaid in the early Norman times gave to Vivian de Molineaux. This Roger held, as appears by Domesday Book, all the lands between the rivers Ribell and Mersey." (Gough's Camden's Brit. iii. 128.)

Even at the distance of nearly a century and a half after the date of these records, viz. in 1700, the population of Liverpool reached only to 5,714 souls. By the census of 1831, it amounted to 165,221; and in wealth, refinement and intelligence, the progress of this enterprising community has been commensurate with the advance of its population.

Local Limits.

I.—The Local Limits of the ancient borough of Liverpool, are delineated on the plan which accompanies this Report. They are strictly co-extensive with those of the parish of Liverpool, are perambulated yearly, and have never been the subject of litigation.

They adjoin on the west side to the river Mersey; on the south to the township of Toxteth Park; on the east, in part to the township of West Derby; and in another part to the township of Everton; and on the north to the township of Kirkdale.

These boundaries of the borough and parish are described in a document among the muniments of the corporation as follows:

"The western boundary, commencing at low water-mark of the river Mersey, at a point where a certain brook, called 'Beacon's Gutter,' enters the said river, and continuing from thence along the said river as far as and to the centre of a certain slip or basin, called 'Etna Slip.'

"The southern boundary, commencing from the centre of the said slip, and running eastwardly from thence across the southernmost end of the Queen's Dock to the western termination of Parliament-street, and then along the south side of the said street and of Upper Parliament-street, to the south-eastern termination of Crown-street.

"The eastern boundary, commencing at the termination last specified, and running from thence along the east side of a certain street, called 'Crown-street,' situate between Upper Parliament-street aforesaid and Pembroke-place; then running along the line of a certain ancient ditch or watercourse between Pembroke-place and London road, at the distance of feet eastward from the walls of the yards or inclosures of the houses there; then along the east side of a certain street, called Moss-street, situate between the London road aforesaid and Upper Islington, to a certain boundary stone at the north-east corner of Carver-street; then along the north-east side of Carver-street, the east side of certain intended streets to be made through certain land in the several occupations of John Lightbody, John Ewart, and Henry Williams Ross, and the north side of Mansfield-street as far as Soho-street; then along the east side of Soho-street, and thence across and along the north side of Richmond-row as far as Fox-street, the east side of the improved line of Fox-street into Great Homer-street, and along the east side thereof, and thence along the east side thereof; and thence along the east side of a proposed street of 20 yards wide, intended to form the continuation of Great Homer-street, up to and as far as its ultimate termination at the township of Kirkdale.

"The northern boundary, commencing at such last-mentioned termination, and running from thence westwardly in a straight line, on the north side of part of certain intended streets, as far as New Scotland road; then crossing the said road and running further westwardly along the north side of the continuation of such intended streets as far as Vauxhall road; then crossing Vauxhall road in an oblique direction, and running further westwardly and across the Leeds and Liverpool canal for the space of 460 yards, and then turning off at a right angle and running northwardly, on the east side of the further continuation of such intended streets, for the space of 248 yards, and then turning off at another right angle, and running further westwardly on the north side of the further continuation of such intended streets as far as a certain street, intended to form a continuation of Regent road for the space of 200 yards; and then running still further westwardly in a straight line on the shore of the river Mersey, along the said brook, called 'Beacon's Gutter,' to the before-mentioned low water-mark of the said river, which said boundaries are more particularly delineated in the plan hereunto annexed."

LIVERPOOL. Parochial Division. The parish of Liverpool is held in two medieties; the town and liberties having been made a parish of itself, distinct from Walton, by a local Act of Parliament, 10 & 11 W. III. c. 36.

Parliamentary Boundary. By the Boundary Act, the populous districts of Everton, Toxteth Park, Kirkdale, Low Hill and Edge Hill, are included in the borough, for the purpose of returning Members to serve in Parliament.

Limits of the Port. The Limits of the port of Liverpool will be described hereafter in commenting upon the towns' duties.

Charters. II.—The originals of the several Charters hereafter enumerated, were produced and examined in open court. A copy was furnished of the charter of William III. which fully recites that of Charles I. constituting therewith the governing charter of the town. A printed translation of the same, and of the charter of George II. also accompanies this Report.

The more important provisions of the governing charter, will be detailed in the sequel under the proper heads.

The following is the list of the several charters granted to the town of Liverpool, (as furnished by the town clerk), with their respective testes:

John. 1. 28th August, 9 John, (on a small parchment, and without seal)
"T. Sim̃ de Patesh̃ ap̃ Wint xxvij die Aug̃ Anno r̃ n̄ jx p Sim̃ de Patesh̃."

Henry 3. 2. 24th March, 13 Henry III.
"Dat̃ p manū Venabilis p̃ris R'Cicestr̃ Ep̄i cācellar' ñri apud Merlebeg̃ xxiiij die mar̃c anno regni ñri t̃cio decimo."

Edward 3. 3. 22d January, 6 Edward III. (inspeximus of John & Henry III.)
"Dat̃ p manū ñram apud Ebor̃ vicesimo sēdo die Januarii anno regni ñri sexto.
"p finem quadraginta solid̃.
"*Pokel.*"

Richard 2. 4. 11th Ju. . . . . Richard II. (effaced).*
"Dat̃ p manū ñram apud Westm̃ undecimo die Ju. . . . . .
"Privato sigullo"
"*Pynyngton.*"
"p finem centū solidor̃."

Henry 4. 5. 29th May, 1 Henry IV.
"Teste meipso apud Westmonasterium vicesimo nono die Maii anno regni nostri primo.
"Pro sex marcis solutis in Hanaperio."
"*Moralby.*"

Philip & Mary. 6. 4th January, 2 & 3 Philip & Mary, (inspecting all the foregoing, but Henry IV.)
"Testib⁹ nobis ip̄is apud Westmonasteriū quarto die Januarii annis regnor̃ ñror̃ secundo et tercio."
"*Adams.*"

Charles 1. 7. 4th July, 2 Charles I.
"In cujus rei testimonium has l̃ras ñras fieri fecimus patentes teste me ipso apud Westm̃ quarto die Julii anno regni ñri secundo."

Charles 2. 8. 8th July, 29 Charles II. (abrogated by the charter of W. III.)

James 2. 9. 4th April, 1 James II. (under the seal of the county Palatine, also abrogated, no teste furnished.)

William & Mary. 10. 9th March, 3 William & Mary, (inspecting a charter of 18th July, 29 Charles II. which it abrogates).

William 3. 11. 26th September, 7 William III.
"In cujus rei testimonium has l̃ras ñras fieri fecimus patentes. Testibus Thomā Archiep̄i Cantuar̃ et ceteris custodibus et justiciar regni apud Westm̃ vicesimo sexto die Septembris, anno regni ñri septimo, per br̄e de privato sigillo."
"*Pigott.*"

Duplicate of same under seal of County Palatine. 12. 14th October, 7 William III. (a duplicate of the preceding charter, under both the great seal, and the seal of the county Palatine.)

George 2. 13. 27th February, 25 George II.

14. 26th March, 25 George II. (making provisions for appointment of borough justices, and empowering recorder to appoint a deputy).

George 3. 15. 19th January, 48 George III. (empowering all aldermen to act as borough justices for life.)

16. 28th

* In the printed translation of this charter, furnished by the town clerk, the date in the margin is given as of 11 June, 5. Ric. II. 1382. But in the "Perticuler of Charters" appended to the answers of the mayor, bailiffs and burgesses, in the London Cheesemongers' case, 9th Oct. 6 W. & M. (noticed hereafter) this charter is said to have been "granted by King Richard the 2d, in the 13th yeare of his raigne."

LIVERPOOL.

16. 28th April, 8 George IV. (making the two bailiffs coroners during their year of office.)

17. Letters Patent, given at Lancaster 10th June, 10 William III. (constituting the mayor for the time being a justice of the peace for the County Palatine of Lancaster.)

George 4. Letters Patent of William 3.

Translations of the charters antecedent to that of Charles I. have been supplied by the town clerk; and as these were stated, on the part of the opponents to the right of the corporation to levy town's duties, to bear materially upon that litigated question, it is thought proper to give them a place in this report.

Earlier charters.

They are as follow:

Charter, 9 John, 28 August 1207.

"John, by the grace of God King of England, Lord of Ireland, Duke of Normandy and Acquitain, and Earl of Anjou, To all his faithful people who may wish to take burgages at the town of Liverpool, greeting: Know ye, That We have granted to all Our faithful people who shall take burgages at Liverpool, that they shall have all liberties and free customs in the town of Liverpool, which any free borough upon the sea hath in Our land; and therefore We command you, that ye shall securely, and in Our peace, come thither to receive and inhabit Our burgages; and in testimony hereof we send you these Our letters patent. Witness Simon de Patishul, at Winchester, the twenty-eighth day of August in the ninth year of Our reign."

Charter, 13 Hen. 3. 24 March 1229.

"Henry, by the Grace of God King of England, Duke of Normandy and Aquitain, Earl of Anjou, To the archbishops, bishops, abbots, priors, earls, barons, justiciaries, sheriffs, reeves, ministers, and to all his bailiffs and faithful people, greeting: Know ye, That We have granted, and by this Our charter do confirm, that Our town of Liverpool shall be a free borough for ever; and that the burgesses of the same borough shall have a mercatorial guild, with hanse and other liberties, and free customs to that guild pertaining; and that no one who shall not be of that guild shall do any merchandize, unless of the will of the same burgesses. We have granted also to the same burgesses and their heirs, that they shall have soc and sac and tol and them and infangenethef, and that they shall be quit through Our whole land, and through all ports of the sea, of toll, lastage, passage, pontage and stallage; and that they shall do no suit of county or wapentake for their tenures which they hold within the borough aforesaid. We have granted also to the same burgesses and to their heirs, that whatsoever merchants seek the borough aforesaid with their merchandizes, of whatsoever place they may be, whether foreigners or others, who shall be in Our peace or of Our license, shall come into Our land, shall safely and securely come to the aforesaid borough with their merchandizes, and safely there dwell and safely thence depart, rendering therefore the right and due customs. We prohibit that no one shall do to the aforesaid burgesses, injury, damage or grievance, upon forfeiture to Us of ten pounds; wherefore We will and firmly command that the aforesaid town of Liverpool be a free borough, and that the aforesaid burgesses shall have the aforesaid mercatorial guild, with hanse and other liberties and free customs to that guild pertaining; and that they shall have all other liberties and free customs and acquittances as is aforesaid. These being witnesses, H. de Burgh, Earl of Kent, Justiciary of England, Philip de Albany, Ralph Fitz Nicholas, Nicholas de Moeles, John son of Philip, Geffrey Dispensar and others. Given by the hand of the venerable father R. bishop of Chichester, our chancellor at Marleberge, the 24th day of March in the 13th year of Our reign."

"Charter of Confirmation by King Edward the Third.

22 January, 6 Edw 3. 1333

"Edward, by the Grace of God King of England, Lord of Ireland, and Duke of Aquitain: To the archbishops, bishops, abbots, priors, earls, barons, justices, sheriffs, reeves, ministers, and all his bailiffs and faithful people, greeting: We have inspected a Charter of the Lord John, late King of England, Our progenitor, in these words:

[*Here follows King John's Charter.*]

"We have inspected also a Charter of Henry, late King of England, Our great grandfather, in these words:

[*Here follows King Henry the Third's Charter.*]

"We moreover, the grants and confirmations foresaid holding firm and valid, do for Us and Our Heirs as much as in Us is, grant and confirm them to the aforesaid burgesses, and their heirs and successors, as the charters aforesaid do reasonably testify, and as the same burgesses and their ancestors the liberties aforesaid have hitherto reasonably used and enjoyed. These being witnesses, the venerable fathers W. Archbishop of York, Primate of England; J. Bishop of Winchester, our chancellor; John de Eltham, Earl of Cornwall, Our most dear brother; John de Warren, Earl of Surry; Henry de Beaumont, Henry de Percy; Ralph de Nevill, steward of Our household, and others. Given by Our hand at York, the twenty-second day of January, in the sixth year of Our reign.

By fine of Forty shillings, "*Pokel.*"

"Charter of Confirmation by King Richard II.

Charter, 11 June, 5 Ric. 2. 1382.

"Richard, by the grace of God King of England and France, and Lord of Ireland: To the archbishops, bishops, abbots, priors, dukes, earls, barons, knights, justices, sheriffs, reeves, bailiffs, ministers and all other his faithful people, greeting: We have inspected a Charter of confirmation of the Lord Edward, late King of England, Our grandfather, to Our beloved burgesses of the town of Lyverpull, made in these words:

[*Here follows King Edward the Third's Confirmation of* 1333, *including King John's and King Henry the Third's Charters.*]

"And We also, the grants and confirmations aforesaid, as well of Our said grandfather, as of other Our progenitors (the clause above expressed, who is not of the same gild, shall transact any merchandize, unless by consent of the same burgesses, being wholly excepted), holding firm and valid, do for Us and Our heirs, as much as in Us is, according to the tenor of the charters aforesaid, by Our special grace, accept, approve, ratify, and to the aforesaid burgesses, and their heirs and successors, burgesses of the borough aforesaid, by the tenor of these presents, do grant and confirm the same, as by the charter aforesaid is reasonably witnessed: moreover, willing to do the same burgesses, and their heirs and successors more abundant grace. We have granted to them, for Us and Our heirs, and by this Our charter have confirmed, That although they or their predecessors, burgesses of the borough aforesaid, shall not in any case have heretofore fully used any one or more of the liberties or acquittances in the said

LIVERPOOL.

said charter contained, the same burgesses notwithstanding, and their heirs and successors, burgesses of the borough aforesaid, shall henceforward, for ever, fully use and enjoy the liberties and acquittances aforesaid, and every of them, except the clause aforesaid, without let or impediment of Us or Our heirs, justices, escheators, sheriffs, or other Our bailiffs or ministers whomsoever. These being witnesses, the venerable fathers, W. the confirmed elect of Canterbury, R. Bishop of London, and W. Bishop of Winchester, John King of Castile, and Leon Duke of Lancaster; Thomas Earl of Buckingham, Our most dear uncle Richard Earl of Arundell; Hugh de Segrave, Our treasurer; John de Monte Acuto, steward of Our household, and others. Given by Our hand, at Westminster, the 11th day of June.

By Privy Seal,

By fine of One hundred shillings. "*Pynyngton.*"

"CHARTER of CONFIRMATION by King Henry the Fourth.

9 May, 1 Hen. 4. 1400.

"THE King, to all to whom, &c. greeting: We have inspected a charter of the Lord Edward, late King of England, our great grandfather, made in these words:

[*Here follows King Edward the Third's charter, reciting King John's and King Henry the Third's charters.*]

"We also, holding the grants and confirmations aforesaid firm and valid do, for us and our heirs, as much as in us is, accept and approve, and to the aforesaid burgesses, and their heirs and successors, do grant and confirm the same, as the charters aforesaid reasonably testify; and as the same burgesses ought to use and enjoy the liberties and acquittances aforesaid; and as they and their predecessors have used and enjoyed the liberties and acquittances aforesaid, from the time of the sealing of the charters and confirmations aforesaid. Witness, the King at Westminster, the 9th day of May."

"CONFIRMATION of the 2 & 3 of PHILIP and MARY.

"Confirmation for the Burgesses of Liverepul.

4 January, 2 & 3 Phil. & M. 1556.

"THE King and Queen, to all to whom, &c. greeting: We have inspected a charter and letters patent of the Lord Richard the Second, late King of England, our progenitor of the said Queen, in these words:—

[*Here follows Richard the Second's charter, reciting at length Edward the Third's confirmation, Henry the Third's charter, and King John's charter.*]

"WE, moreover the charters and letters patent, and all and singular in them contained, holding firm and valid for Us and Our heirs of the aforesaid Queen, as much as in Us is, accept and approve, and to Our beloved now burgesses of the aforesaid borough, We ratify and confirm as the charters and letters aforesaid do reasonably testify. In testimony whereof, &c. Witness the King and the Queen at Westminster, 4th day of January."

Abrogated Charters.

Of the abrogated Charters of Charles II. and James II. copies have not been obtained; but the following details with respect to them were given without contradiction.

In 1627 (the year after the granting of the charter of Charles I.) the burgesses met in common hall; and from an entry in the corporation books it appears, that a bye-law was there passed appointing 56 individuals to be a common council, with powers to superintend and direct all corporate concerns. It further appears from the council books for upwards of 50 years, that the council so delegated continued to exercise the powers vested by the charter of Charles I., in the burgesses in common hall assembled. But in the reign of Charles II. this council succeeded in procuring an express recognition by charter of their authority; and in depriving the burgesses of the sole privilege which in effect continued to be exercised by them, namely, that of annually electing the mayor and bailiffs.

This charter of 29 Charles II. appointed 60 persons to be a common council, with power for 30 of them, exclusive of the mayor and bailiffs, to elect the mayor, the bailiffs, the members of the common council, and the freemen. It did not, in any manner, refer to that of Charles I. In 1684 it was surrendered to the Crown, at the instigation of Judge Jefferies. But in 1685 the same applicants obtained the before-mentioned charter of 4th April, 1 James II., upon the same model with that of Charles II., but extending the numbers of the council to 61, exclusive of the mayor and bailiffs, and reserving to the Crown a power (which it did not omit to exercise) of removing obnoxious officers.

Town Duties.

The foregoing statement respecting the abrogated charters, and various arguments founded on the provisions of the earlier charters, having been addressed to the commissioners with reference, and as introductory to the litigated question regarding the Town's Duties, I think it expedient (though, in point of order, rather by way of anticipation) here to give those details relating to that question, which appear fit to be embodied in this Report. And upon a question involving important rights still under litigation, and as to which *exparte* allegations and vouchers only were adduced, it seems to me proper to report the facts as stated; simply with a view to show the unequal bearing of the tax in question, and the impolicy of permitting the continuance of such an impost in its present form; omitting altogether any expression from which an opinion touching the right itself could be inferred.

The town's duties are a rate levied (with the exceptions hereafter noticed) generally, by the corporation, on the import and export of all merchandizes into or out of the port of Liverpool.

Boundaries of Port.

The boundaries of the Port were settled by a commission issued 19th July, 32 Charles II., which recited an Act passed in the 14th year of the then king's reign for preventing frauds and regulating abuses in the customs; and also an Act of 1st Elizabeth, directing that no goods should be laden or unladen, except at certain places to be appointed as therein mentioned, and it directed the commissioners, viz., the mayors of Chester, Beaumaris, Carnarvon, Liverpool and Lancaster, and Sir Peter Pindar and others, to ascertain the boundaries of the different ports therein mentioned, and fix places for lading and discharging goods therein.

This

LIVERPOOL.

Boundaries of Port, as settled by Commission.

This commission recited that Chester was the principal port, and Liverpool one of the members thereof: the return stated, that five of the said commissioners had, on the 1st of November 1680, settled the Boundaries of the Port of Liverpool to be "from the Red Stones on the Point of Werrall, southerly, to the foot of Ribble Water, in a direct line northerly, and so upon the south side of the said river to Hesketh Bank, easterly."

Under Dock Acts.

The same limits are described in the Dock Acts of Queen Anne and of subsequent reigns, for custom house purposes, which in this return are stated as constituting the newly created port of Liverpool.

Receiver, appointment of.

A short time before the boundaries were thus defined under the commission, there appears on the corporation books an entry dated in 1674, directing the mayor to treat with His Majesty's customer for the receiving of the town's duties along with His Majesty's customs; and that, if His Majesty's customer should refuse, another fit person was to be appointed. The result at the time does not appear from the books, but the practice has been for many years for the receiver to be stationed in the body of the custom house, and until very lately it was usual for the king's officers to refuse to pass the king's entries until the town's duties were paid.

Salary of.

The Stipend of the Receiver was fixed by a resolution of the common council of 7th February 1821, to be a commission of three per cent. upon the gross receipts of his whole collection, including that for anchorage; and this produced him, upon an average of the four succeeding years, 1,111*l.* 0*s.* 7*d.* annually. He was required not to be concerned, directly or indirectly, in any other business, and to find three sureties.

By a resolution of 2d November 1825, the per centage was reduced to 2½, which upon an an average of four years produced 881*l.* 7*s.* 6*d.* annually. The receiver at Runcorn has 30*s.* per week salary.

Auditors.

The salaries of the Auditors in 1827 amounted to 150*l.*; in 1832 to 300*l.*

Collection.

The duties are levied not according to any fixed and invariable scale, but at the discretion of the common council, who, upon memorials presented to them from the merchants or from other motives, have from time to time reduced and varied the proportion of these dues. A remarkable instance is furnished in the Orders of the Council of 5th January 1825, and 2d December 1829, copies of which accompany this report,

Till within 40 or 50 years last past, a brass plate was fixed up at the Custom-house, specifying the duties on 20 or 30 articles; but a multitude of commodities have since been added to the catalogue; the printed copy of the book of rates for 1827, sent herewith, contains a list of some hundreds; and the brass plate has disappeared from the time mentioned. When any new article is imported, the duty is capriciously fixed by the receiver of the town's duties without any reference to its value; the consequent inequalities will be presently noticed.

Articles imported by canal and river from Chester, London and elsewhere pay no town's duties, nor do any goods entering the town and port by land; but all merchandizes pay that are landed or shipped wheresoever within the limits of the port, as at Runcorn, Frodsham and the gunpowder magazines, all of which are in the county of Chester.

Statements of right to Town's Duties.

In the decree of 5 Will. & Mary, which will presently be noticed, the claim of the corporation to the town's duties, as laid in their bill, is thus recited: "And that either by custom or prescription, or by some royal grants and charters, or other good right, there hath been due and paid, and of right payable for all the time aforesaid (time out of mind) to the burgesses of the said borough, as there are in many other boroughs and towns, part of whose lands lie within the flux and reflux of the sea, several small rates or sums of money called or known by the names of Town Duty or Town's Customs for several sorts of goods and merchandize exported out of, or imported into the said port or haven of Liverpool, from any place beyond sea, or to or from any place within this realm, upon breaking the bulk or cargo of the said ship so importing the said goods, either by landing them on the wharf there, or putting them on board any other ship or boat riding in the said port or haven."

In the decree of 12 Will. III., hereafter noticed, the claim is thus recited; "That there hath been and is (either by custom or prescription, or as Liverpool is part of the duchy of Lancaster, or by some other right) due and paid, and of right payable to the burgesses thereof by all persons, as well freemen of London as others, (except freemen of Liverpool,) several rates or sums called Town Duties or Town Customs for all goods exported out of, or imported into, the said borough or port of Liverpool."

Exemptions.

The persons now admitted to be exempt from this impost are, the burgesses of Liverpool, wheresoever resident; and the freemen of London, Bristol, Waterford and Wexford, resident within their respective cities or towns; viz. the freemen of London under a charter of Henry I.; those of Bristol, under charters of Henry II. in 1173, and of Richard I.; and those of Waterford and Wexford under charters of King John in 1205, more than two years antecedent to the granting of his charter to Liverpool.

The free burgesses of Lancaster claim exemption also, and a copy of some voluminous proceedings in the Exchequer, upon a bill filed by the attorney-general on the behalf of the corporation of Liverpool against the corporation of Lancaster, is sent herewith; from which it appears that this exemption was the subject of prolonged litigation from 1689 till Easter Term 5 Will. & Mary, when a decree was made in that court directing a feigned action to be tried at law upon two issues: 1st. Whether the towns duties were of right payable to the

LIVERPOOL.

corporation of Liverpool, as claimed by them; and 2dly. Whether the freemen of Lancaster were exempt from paying the said town's duties.

The result of this trial, however, (if it ever took place) no where appears; and as the corporation of Liverpool, in their recent proceedings, aver that they succeeded in their suit with the freemen of Lancaster, it seems probable that the latter submitted upon that decree.

A protest also of Messrs. Welsh and Hudson (free burgesses of Lancaster) against the payment of the town's duties was presented to the common council of Liverpool on the 25th of June 1831, a copy of which is sent herewith. Upon reference to the report on the borough of Lancaster, it appears that the burgesses of that town were first enfranchised by Earl Morton, (afterwards King John,) who granted to them the liberties of Bristol in the fourth year of Richard I.; and that King John, in the year 1199, confirmed the grants which he had made to them while he was Earl Morton; and one of the most important of the liberties claimed under this charter is stated to be an exemption from toll throughout all England and the ports of the sea. Practically, however, the burgesses of Lancaster do not appear as yet to have succeeded in establishing their exemption within the port of Liverpool.

Amount.

A Table is sent with this Report, showiug the Amount of the towns' duties in each year, from 1730 down to 1833. In order to show their progressive increase, it may suffice to select every tenth year.

					£.	s.	d.
In the year ending	18	October	1731	the amount was	648	16	3
"	"	"	1741	"	1,163	9	2
"	"	"	1751	"	1,338	1	5
"	"	"	1761	"	2,162	7	10
"	"	"	1771	"	2,899	11	8
"	"	"	1781	"	4,479	15	8
"	"	"	1791	"	10,440	11	2
"	"	"	1801	"	19,728	3	5
"	"	"	1811	"	21,418	5	3
"	"	"	1821	"	33,090	5	6
"	"	"	1831	"	47,007	14	5

Pressure.

How severely the unequal pressure of this impost must affect the interests of the merchants, being non-freemen, is a point that would hardly seem to need illustration; yet as it forms a prominent feature of complaint in the petition for corporate reform from the bankers, merchants and householders of Liverpool, mentioned in the sequel, I think it due to them to advert to the respectable testimony adduced upon this head, especially as the severity of the pressure was by no means admitted by the corporate officers.

The following statement was produced and verified by Mr. Bolton, of the house of Bolton, Ogden & Co., in whose name the question is now in litigation respecting the right to levy the town's dues.

An Account of the Town Dues of Bolton, Ogden & Co., Merchants in Liverpool, for the Years 1817, 1818, 1827, 1828, 1830, 1831, 1832, which were in part borne by themselves, and the residue charged to their correspondents in the manufacturing Towns of Great Britain and in Foreign Countries; but for which no benefit whatever was derived, or port accommodation afforded:—

	£.	s.	d.
The Amount paid in 1817 was - - - - - -	740	2	9
In 1818 it was - - - - - -	545	13	7
Of which there were, on goods imported and exported on account of themselves - - - - - £. 296 14 7			
In 1827 the amount paid was - - - - - -	678	19	2
Of which there were, on their own goods - - 263 7 —			
In 1828 the amount paid was - - - - - -	396	6	5
Of which, on account of themselves - - - 85 15 6			
On the 22d May 1830 they refused to pay town dues, from which to the 21st May 1831, one year, the sums demanded from them by the Receiver amounted to - - - -	1,061	17	9
Besides town dues on wheat landed at Runcorn, in Cheshire, about 15 miles above Liverpool - - - - -	1	5	1
Of these sums there were, on goods imported and exported on account of themselves - - - - - 421 13 1			
From the 22d May 1831 to the 21st May 1832, one year, they compute the claims on them to be - - - -	594	10	5
Of which there are, on goods on account of themselves 65 13 6			
From the 22d May 1832 to 21st of May 1833, one year, they compute the claims on them to be - - - -	671	11	8
Of which, for goods on account of themselves - 92 12 3			

The evidence of Mr. Joseph Hornby established that during the last ten years his house had paid 7,249 *l.* for town duties, of which 5,367 *l.* 11 *s.* 8 *d.* was on their own goods, the rest on goods belonging to their correspondents. In the year 1823–4, they paid 1,413 *l.* 7 *s.* 9 *d.*,

of

LIVERPOOL.

of which nearly 1,000*l.* was for tallow alone, the duty upon which was formerly 3*d.* per cwt. This, on 15 cwt., would be 3*s.* 9*d.*, whilst on the same quantity of sugar the duty was only 4*d.* However, in 1825, upon a memorial to the Common Council, they somewhat rectified this disproportionate scale, by reducing the duty on tallow to 1*d.* per cwt.

From the evidence of Mr. George Maxwell, the oppressive nature of these dues in one trade alone (the African) was strongly illustrated. From May 1832 to May 1833 his house had sent six vessels to Africa with a tonnage of 1,592 tons; the town's duties on the cargoes, outwards and inwards, amounted to 130*l.* 12*s.* During the same period, Messrs. Horsfall & Tobin, members of the corporation, had sent 15 vessels to Africa, with a tonnage of 3,885 tons, upon the cargoes of which, if similar, the town's dues would have been 318*l.* 4*s.* 2*d.* Alderman Sir Thomas Tobin had sent seven vessels, registering 1,849 tons, on which the dues would have been 131*l.* 13*s.* 11*d.*; and Mr. Bold (common councilman) had sent four vessels, tonnage 1,267, on which the duty would have amounted to 103*l.* 13*s.* 10*d.* Of these gentlemen, Mr. Bold was said to be the only native merchant, the rest having all received their freedom by gift. They are largely concerned in other trades: this statement applies to the African alone. Testimony of the like nature was offered by Mr. Joseph Sandars, whose house, upon an average of three years, had paid town's duties to the amount of 765*l.* 14*s.* 2*d.* yearly.

Inequality.

The preposterous inequality of the rates upon different articles, with reference to their respective bulks, qualities, and actual value, is further illustrated by the following statement, selected by Mr. Bolton from the Table of Duties:—

Town Dues charged on the Importation of the following Articles into the Port of Liverpool, to all Persons except the Burgesses, or the Burgesses of Bristol, London, Waterford and Wexford:—

Tar, per barrel	2*d.* value, 15*s.*
Flour, per barrel	1*d.* value, 30*s.*
Sugar, per hogshead, weighing 15 cwt.	4*d.* value, 60*s.* per cwt.
Tallow, per hogshead of the same weight	1*s.* 3*d.* value, 47*s.* per cwt.
" " and until 1825 it paid	3*s.* 9*d.*
Elephants' teeth, the ton	1*s.* value, 500*l.* per ton.
Logwood, the ton, an article of similar bulk	6*d.* value, 8*l.* per ton.
Wheat, per hundred bushels	1*s.* 4*d.* value per qr. 54*s.* 1*d.*
Oats, per hundred bushels	1*s.* 4*d.* value per qr. 19*s.* 9*d.*
Scotch wool, the bag	4*d.* value, 4*l.*
Silk, the bale	2*d.* value, 150*l.*
Munjeet, the bundle, 5 per cent. (was charged 1*d.*)	½*d.* value, 10*d.*

On Exportation:

Coals, the ton, pay	2*d.* value, from 9*s.* to 13*s.* 6*d.*
Salt, of nearly the same bulk, 2*s.* per 100 bushels, or 9*s.* 2*d.* or 10 per cent. on its value	per ton, value 8*s.*
Copper, the ton, in sheets and bolts	3*d.* value, 100*l.*
Iron, the ton, in bars and bolts	6*d.* value, 7*l.* 10*s.*
A box of gold	1*d.* value, 10,000*l.*
A box of feathers or bran	1*d.* not worth 5*s.*
Bricks for building, the thousand	1*d.* value, 25*s.* per thousand.
Fire bricks of the same size	4*d.* value, 80*s.* per thousand.

The result of these facts seems to be a general impression upon the minds of the mercantile community that the town's duties, in their present form and bearing, operate as an unjust and oppressive impost upon merchants being non-freemen; and that, with respect to some articles at least, where the duties are heaviest in proportion to value, they render it impossible for such merchants to compete with their enfranchised neighbours.

But they concurred in admitting that a system of town's duties, constructed upon a just and reasonable scale, and bearing equally on all members of the commercial body, would, under a salutary administration of the finances of the town, contribute greatly to its prosperity, and that to such an impost they would cheerfully submit.

Litigation.

The natural consequences of the unequal bearing of this impost have been, 1st, repeated litigation of the right of the corporation to levy it, either generally or in particular instances; and, 2dly, attempts by the non-freemen to evade their liability to pay the duties.

Lancaster Freemen.

The protracted law-suit respecting the exemption of the freemen of Lancaster, (in which the general right also was disputed), has already been noticed.

London Freemen. Cheesemongers' Company.

In Easter Term, 6 Will. & Mary, being the year following the date of the decree in that case, another suit was instituted in the Exchequer by one of the then incorporated trades of London, the Cheesemongers' Company, against the Corporation of Liverpool, in respect of a seizure, by way of distress for non-payment of town's duties, made by the corporation upon some cheese vessels of the Company. After two trials at bar, and a long protracted course of litigation, the decree in the cheesemongers' case was made in Michaelmas Term, 12 Will. III., establishing the exemption of the freemen of London, and decreeing restoration of the value of the goods seized, with costs to be paid by the corporation of Liverpool.

Mullyneux *v.* Corporation of Liverpool.

Another and earlier case of litigation respecting the town's duties is mentioned only with a view to show the bearing of the charters upon the question, no inference whatever being drawn from it as to the actual title of the corporation.

LIVERPOOL.

It was a suit instituted in 1555, in the Court of Chancery of the Duchy of Lancaster, by Richard Mullyneux, of Sefton, in the county of Lancaster, knight, against the mayor and bailiffs of Liverpool, respecting the title to "the towne and lordshyppe of Lytherpool, with the appurtˢ, in the county of Lancʳ aforesaid, and also one boote and passage over the water of Mercye, and the flesh shambles there, and also the stallage and tolle of the marketts and fayres, with the perquysytes of the Court in Lythepole afforesayd, and also the custome and anchorage of key-tolle of the sayd water of Mercye, within the lordshyppe of Lytherpoole afforesayd."

The decree, which is of Trinity Term, 2 & 3 Philip & Mary, contains, amongst other matters, the following passage:—

"And also for that it appeared to the said chancellor and councell that the said defendants did shew certain and ancient letters patent and confirmations made by divers progenitors of the Queen's Majesty that now is, Kings of England, made to the burgesses of Liverpool, whereby the said mayor, bailiffs and burgesses, and other the said defendants, claimed to have divers of the said profits, customs and liberties mentioned in the said bill of complaint; but it appeared not to this court that the said mayor, bailiffs and burgesses of the said town had ever any profits of the premises to their own uses, but that at all times the King's and Queen's Majesties that now are, or the progenitors of our said Sovereign Lady the Queen, have been continually and yearly answered of all the said premises specified in the said bill, as in the right of the said duchy of Lancaster for the space and time of a hundred years and more now last past, as by the records, auditors rolls and other remembrances remaining of record in this court, as before in this present order is declared, it did manifestly appear to the said chancellor and councell of the said duchy of Lancaster; therefore, and for divers other considerations, the said chancellor and councell of the said duchy of Lancaster moving,

"It is ordered and decreed by the said chancellor and councell of the said duchy of Lancaster, that the said complainants and their assigns, and all and every their deputy or deputies and servants and every of them, from henceforth shall and may quietly and peaceably, at their will and pleasure, have, hold, occupy and enjoy the said town and lordship of Liverpool, with the appurtenances, in the said county of Lancaster, one boat and passage over the water of Mersey, and also the flesh shambles within the said town of Liverpool, and also the stallage and toll of the markets and fairs, and also the perquisites and profits of the courts holden and kept within the said town of Liverpool, and also the custom, anchorage and key-toll of the water of Mersey, in the said town and lordship of Liverpool, or appertaining or belonging to the same, with all other profits arising, coming or growing within the said town and lordship of Liverpool, during all such interest and term of years as they the said complainants have in the said town and lordship of Liverpool, and other the premises yet to come and not expired, without any let, vexation, trouble, impediment or interruption of the said mayor, bailiffs and burgesses, or any other person or persons claiming any freedom or liberty within the said town or lordship, or inhabiting or dwelling within the said town or lordship, or by any other person or persons by his or their procurement, abetment or assent, or by the assent or procurement of any of them.

"And also it is ordered by the said chancellor and councell, That the said mayor, bailiffs and burgesses, and other the inhabitants of the said town and lordship of Liverpool, and all others that be or hereafter shall be officers within the said town and lordship, and every one of them, shall peaceably and quietly permit and suffer the said complainants and either of them, their executors and assigns, and the executors and assigns of either of them, to have, hold, occupy and enjoy all and singular the premises, and every part and parcel of the same, and also to permit and suffer the said complainants and either of them, their executors and assigns, and the executors and assigns of either of them, their servants, deputies or officers, and every of them, to keep courts within the said town or lordship of Liverpool, after such sort and manner and in such place and places as the courts within the said town have been used to be kept, and also to levy, perceive, receive, gather and take all and singular the perquisites and profits of courts, whatsoever they be, arising and growing by reason of any court kept within the said town and lordship of Liverpool; and also that all the suitors and inhabitants of the same town and lordship, and all other persons that owe any suit to the court of the said town, shall make and do their suit and service to the same court, in such sort, manner and condition as they and every of them heretofore have been used and accustomed to the courts holden and kept within the said town aforetime; and also all and singular the profits of the said custom arising and coming by any means within the said town and lordship of Liverpool, as well as by all freemen of the same town, as also by all foreigners and strangers, whosoever they be, that shall bring, transport or use any kind of merchandize within the said town or lordship of Liverpool, or the liberties of the same; and also the profits of the stallage, passage, anchorage, key-toll, profits of the fairs and markets within the said town and lordship; and also all and singular other profits, whatsoever they be, belonging or in anywise appertaining to the said town of Liverpool, with the appurtenances, without any let, vexation, impediment, interruption or contradiction of the said mayor, bailiffs, burgesses or other the inhabitants of the said town and lordship of Liverpool, or by any other person or persons by their commandment, abettment or assent, or any of them, during all such term of years as the said complainants have yet to come and not expired, of and in the same town and lordship of Liverpool aforesaid.

"And it is further ordered by the said chancellor and councell, That the said mayor, bailiffs and burgesses of the said town and lordship, their successors and assigns, and all and every their officers within the said town or lordship of Liverpool, and all and every other person and persons claiming any liberty or freedom within the said town or lordship of Liverpool, and all others the inhabitants of the same town or liberties or franchises of the same, shall not from henceforth in anywise intermeddle with any custom, toll and stallage, or any other profits arising, coming, growing or used heretefore to be taken, received, perceived, used, levied or had within the said town and lordship, or the liberties and franchises of the same, or any part thereof whatsoever, unto such time as they shall show and prove good and sufficient and also better matter why and wherefore they ought to have any manner of profits coming or arising within the said town and lordship of Liverpool, or the liberties or franchises of the same town and lordship, and the same to be so allowed by the said chancellor and councell of the said duchy of Lancaster for the time being."

It will be seen hereafter, under the head of "Property Leases," that the corporation claim to derive their title at the present day to the ownership of the soil of the town from the Molyneux family.

Action against Messrs. Bolton, Ogden & Co.

With respect to the action brought by the corporation against Messrs. Bolton, Ogden & Co. it was the result of a resolution entered into in April 1830, at a meeting of merchants, for the express purpose of trying the legality of the town's duties, and the proceedings thereupon instituted are still pending. It is thought proper upon this point, therefore, to state only that, with this Report are sent the following documents: 1st, Various extracts from the record books of the corporation, from the 6th Edward VI. down to the end of the reign of George I.; 2dly. Copy of a case laid before council in 1824, by Mr. Statham, late town clerk of Liverpool, in which he states that the corporation are entitled by prescription to the town's duties; and 3d, Copy of the Lists of Town's Duties, levied in the years 1613, 1674 and 1790, respectively, as stated in that case by Mr. Statham.

Attempts to evade liability to Town's Duties.

2d. Besides all the litigation consequent upon the unequal and oppressive operation of the town's duties, they have been productive also of attempts (with various success) on the part of the non-freemen, to evade their liability.

In consequence of the decision already noticed of the action between the Cheesemongers' Company of London and the Corporation of Liverpool, in 1695, many of the leading merchants of Liverpool, who considered themselves aggrieved by the impost, took up their freedom in some of the minor London companies, thinking thus to exempt themselves from payment of these heavy duties, at an expense of 40*l.* or 50*l.* But, in consequence of the decision of the case between the corporations of Lynn and London,* it was determined, on the part of the corporation of Liverpool, to contest the exemption of non-resident freemen of Liverpool. The question was tried in 1799, and the result was, that resident freemen alone were declared exempt. Even at the present day, however, it is stated that there are merchants in Liverpool, free of London, and residing there for about a month in the year, so as to be liable to serve corporate offices, and thus exempting themselves from liability to pay town's dues in Liverpool. But some cases having occurred in which they were marked to serve as sheriffs, one of whom, Mr. Lee, actually served the office, and others paid the penalty of 500*l.* for default, the practice of purchasing freedoms in London has fallen into desuetude.

Seals.

The corporation have four seals.

1. The common seal of the borough.†
2. The mayor's official seal.
3. The seal of the Court of Passage.
4. The town clerk's seal for sealing statutes.

There are no traces of any incorporated trades or companies having ever existed in this borough.

Title of Corporation.

III. The ancient style of the corporation is recited in the charter of Charles the 1st, thus: "Per nomen Majoris Ballivor̃ et Burgensium ville de Liverpoole in com̃ Lanc̃;" and is recognised and confirmed in that charter, and in the charter of William III., which jointly constitute the governing charters of the borough.

The same title of "Mayor, Bailiffs and Burgesses of our town of Liverpool, in the county of Lancaster," is preserved in the modern charters of George II., III. and IV.

Officers.

IV. The charter of William III. constitutes in Liverpool "forty and one honest and discreet men of the burgesses of the town aforesaid, who shall be and be called the Common Council of the said Town."

From these the mayor, two bailiffs, recorder and common clerk are required to be chosen.

Some, however, among the corporate officers constituted by the charter, and very many who are created independently of the charter, are not members of the common council. The following lists comprise all the more important offices:—

Mayor	1
Bailiffs	2
Recorder	1
Common Clerk	1
Aldermen, an indefinite number being all who have filled the office of Mayor.	
Sub-Bailiffs	2
Deputy Mayor	1
Sword Bearer	1

These are all constituted in pursuance of the provisions of the charter.

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* *See* 1 Bosanquet & Puller's Reports.

† The very ancient common seal of the borough bears a device and inscription which have been the subject of much antiquarian research. As a key to which the evidence of Mr. Lowe, in the printed Report of the inquiry, p. 31, may be consulted.

LIVERPOOL.

The following are not by charter:

Clerk to the Magistrates	1
Treasurer	1
Assistant Clerk to Treasurer	2
Collector (or out-door Assistant to Treasurer)	1
Surveyor	1
Principal Draftsman	1
Assistant Draftsmen	3
Out-door Assistant to the Surveyor	1
Receivers of Town's Dues	2
Auditor of Town's Dues (with four clerks)	1
Surveyors under Building Act	3
Clerk of Committees	1
Serjeant-at-Mace	1
Billet-Master	1
Beadle	1
Bellman	1
Water-Bailiff and Superintendant of Graving Docks	1
Deputy Water-Bailiff	1
Governor of the Borough Gaol	1
Superintendant of Police	1
Keeper of the Town Hall	1
Market Lookers	3
Leave Looker	1

There are also several others who are considered subordinate officers, such as turnkeys, &c. and whom it was not thought necessary to enumerate.

Mayor, election of.

The Mayor is elected annually on the charter-day, the feast of St. Luke (18th October), at the court of election, which is held on the hustings in front of the Town-hall. The nomination and election are by the burgesses at large; the election takes place before the retiring mayor and bailiffs, who are the returning officers.

The poll is usually taken by tallies of ten voters each, and is kept open until a late hour of the night, if needful, to enable them to effect the election on the charter-day. The numbers polled for the two candidates at the election in 1833, were 339 and 304. The mayor then chosen held the same office in 1816.

The mayor is chosen pursuant to the charter of William III. from the body of the common council. He is sworn into office immediately on his election, pursuant to the charter of Charles I., which provides that he may and shall have power to execute the office for one whole year after having so taken the oath.

Mayor, functions of.

The mayor, under the provisions of the charters of Charles I. and William III. is a justice of the peace for the town of Liverpool, its liberties and precincts; and continues such for life by the charter of George III. He is also a magistrate for the county palatine of Lancaster, during his year of office, by virtue of the letters patent of William III. before mentioned.

He is the presiding magistrate at the court of quarter sessions, at the mayor's court, and in the common council, and the returning officer at elections of members to serve the borough in Parliament; in which capacity he also acts, jointly with the bailiffs, at corporate elections.

Mayor, privileges of.

By a resolution of the common council from time to time passed, the mayor has the privilege of nominating a freeman after the expiration of his year of office; a privilege most commonly in practise exercised.

Mayor, salary of.

After the year of office has expired, a resolution of the council regularly votes to the mayor a sum of 1,200*l.* (to which amount it was advanced in 1811 from 800*l.*), as a compensation for the various expenses which devolve upon him from the office.

A carriage has also been kept for the mayor since 1820, at the sole expense of the corporation; from which source also the wine for the corporate entertainments is provided.

These entertainments being furnished on the most sumptuous scale, and donations to several charitable institutions being expected at the hands of the mayor, it is not unusual for the expenses incidental to the office to exceed the sum voted, occasionally to the extent of 400*l.* or 500*l.*

Bailiffs, election of.

The two Bailiffs are elected from the body of the common council, precisely in the same mode as the mayor.

The members of the common council have occasionally put them in nomination, and in protracted polls have voted, as burgesses, at their election; but this is represented to be not the usual practice, and indeed the election of bailiffs rarely goes to a poll. The office is annual.

Bailiffs, functions of.

The Bailiffs perform all the ministerial duties usually executed by sheriffs, where such officers exist.

They also execute the functions of coroners by virtue of the recent charter of 8 Geo. IV.; and, by Act of Parliament, those of churchwardens of St. George's church.

Bailiffs, emoluments of.

They have no salaries or emoluments. A sum of 40*l.* is annually voted, nominally to the bailiffs, to be paid over to the billet-master; but it never even passes through the hands of the bailiffs.

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The duties of the Bailiffs as Coroners (in which capacity they are empowered to act jointly with the mayor of the preceding year,) are very onerous. There is an average of about four or five inquests weekly; besides cases requiring their attendance, which terminate without any inquest. Coroner, functions of.

In practice, the County Coroner never intromits within the borough, though no legal impediment appears to exist.

The usual allowance of 1*l.* on each inquest is paid to the coroners, but ultimately received by the town clerk, who acts as clerk to the coroners, by virtue of a resolution of the common council. Coroner, emoluments of.

The expenses of the jury, of the attendance of medical witnesses, &c. are defrayed out of the funds of the corporation, who are said to be very economical in their allowances. These expenses in the year ending 1833 amounted to 222*l.* 15*s.* The fee allowed to the medical man is generally one guinea; sometimes, upon dissection, two guineas; but never exceeding that sum.

The charter of Will. III. provides that there shall be an honest and discreet man, skilled in the laws of England, who shall be and be called the Recorder of the town, to be continued in his office during good behaviour. Recorder, election of.

He has the power to appoint a deputy, in which capacity the present recorder had for several years acted under his predecessor, Mr. Hargraves.

The recorder is chosen by the common council: the practice has always been to elect a barrister at law.

The charter requiring that he should be one of the common council, it is usual to make him a freeman and member of the council immediately previous to his election.

The duty of the Recorder is to assist the mayor at the Court of Quarter Sessions and at the Court of Passage, which is held for the trial of causes at the same periods with the quarter sessions. Recorder, functions of.

These courts, which are regularly attended by the recorder, occupy a considerable portion of his time: at the October sessions 1833, nine days; of which, three were occupied by the business of the Court of Passage.

In the event of an extension of the jurisdiction of that court, it was suggested that the residence of the recorder within the town, if not constantly, at least for some definite period after the holding of the sessions, would become necessary for the purpose of granting new trials, &c.

But the Act for amending the practice of that court, passed during the last session, has met the exigency by appointing an assessor.

However, even under present circumstances, it would seem to consist better with the importance of the judicial functions in such a town as Liverpool, and with the extent of his salary and emoluments, if the recorder were permanently resident within a convenient distance at least of the borough. This is not the case with the present recorder, whose residence is at Cockerham, near Lancaster, a day's journey distant from Liverpool.

He is the brother of the late Alderman John Clarke, and brother-in-law of Alderman Aspinall. His only competitor for the office, on the occasion of his election in October 1821, was a barrister, connected by equally near ties with the corporation. It was admitted on all hands, however, that he has exercised his important duties in a most impartial manner.

The Salary of the Recorder is 525*l.*; in addition to which he holds briefs at the assizes in those cases in which the corporation are prosecutors; and assists upon retainer at contested elections for the borough, on which last account he received in 1831, 420*l.*, and in 1832, 210*l.* Recorder, salary of.

The office of Common Clerk is instituted like that of recorder, by the charter of Will. III. and is also to be held during good behaviour, with the addition, however, of his being removeable, for a reasonable cause, by the mayor, bailiffs and common council, or the greater part of them for the time being. Common Clerk, election of.

He is also to be chosen by and from among the common council.

Previous to the 1st August 1832, the office of Clerk to the Magistrates had been uniformly held in conjunction with that of common clerk; at that time, on occasion of the death of the late common clerk, a resolution of the select finance committee was passed, by which the offices were detached from each other, the borough magistrates for the time being having come to an agreement to appoint another gentleman to act as their clerk. His appointment, however, was considered as mere matter of compact among themselves; and the resolution does not profess to bind the magistrates, who might resume, whenever they chose, the power of nominating their own respective clerks. Common Clerk, functions of.

This resolution is to the following effect:

AT a Meeting of the Select Finance Committee, the 3d day of August 1832.

Present:—JOHN BOURNE, Esquire, Deputy Chairman, &c. &c. &c.

THE Committee proceeded to the consideration of the reference from the last council; viz. "To define the duties of the town clerk and the clerk to the magistrates, and to report."

And it was Resolved,—

That in the opinion of the committee the respective duties of the town clerk and the clerk to the magistrates are as follows:

The town clerk is the keeper of the corporation records and title deeds, and has the preparation and registry of the corporation leases and purchase deeds:

LIVERPOOL.

He is the clerk of the peace at the licensing and quarter sessions:
He is the officer of the mayor's, or civil court:
He is the clerk to the mayor and bailiffs as returning officers at elections:
He may be the clerk to the coroners of the borough, with the approbation of the coroners for the time being:
He is the official legal adviser of the mayor for the time being in reference to the various duties he is called upon from time to time to discharge in his municipal character, and is to prepare all documents and other matters connected with the mayor's office (except such as are connected with his magisterial duties in the police office):
That as clerk of the council he has the custody and arrangement of all the minutes and proceedings of that body:
That he has the conduct and management of all the legal and parliamentary business of the corporation:
The clerk of the magistrates is the legal adviser of the sitting magistrate in the police office, and has the management of all the business connected with the magisterial business in all its branches at the police office and the quarter sessions, and has the preparation of, and the charge and custody of all documents and papers referring to the magisterial business (except such as appertain to the mayor's municipal duties):
That at all meetings of the magistrates connected with the business of the police he is to attend and take the minutes of such meetings, and to prepare all documents, and to conduct any correspondence arising therefrom:

And it was further Resolved,—
That it be recommended to the council to rescind their order of the 7th January 1817, allowing to the town clerk the annual sum of 500*l.* for certain business, and for stationery, coals and candles; and that in lieu thereof the town clerk be allowed the salary of 105*l.* per annum in consideration of all other general business not enumerated above, together with stationery, coals and candles:

Common Clerk, other duties of.

The functions of the Common Clerk, as the office now subsists, are defined in the foregoing resolution. He also acts, in conjunction with the vestry clerk, as solicitor for the trustees of Mrs. Ann Molyneux. This trust has been minutely investigated by the Charity Commissioners. (*See* their Lancaster Report, pp. 101–105.)

The office of clerk to the coroners is held by him as stated in this resolution of the common council, and is not necessarily incidental to his office of common clerk.

Common Clerk, salary of.

Upon the division of the offices of common clerk and clerk to the magistrates, in 1832, the reduction of the fixed salary of the town clerk, stated in the foregoing resolution, was also effected.

His other emoluments consist of the fees of office as clerk of the Court of Passage and of the Peace, and of charges made by him, as an attorney, for business done for the corporation.

It was stated to be a difficult matter, from the short time that had elapsed since the division of the offices, and during which time only the present common clerk had enjoyed his share, to fix any thing like a correct average of the annual produce of the office as it now subsists. But it was admitted, that in the time of his predecessor it was reputed to be worth from 4,000*l.* to 5,000*l.* a year. The extent of the business may be inferred from the fact, that the present common clerk pays in salaries to his assistants 600*l.* or 700*l.* a year.

A public office and stationery are found by the corporation for him, and his chief clerk has a house, rent free, contiguous to the office.

Aldermen.

The charter of William III. provides, that every one who shall bear the office of mayor of the town, immediately after the taking of that office, shall be and be called an Alderman of the town during his natural life, unless for a just cause he should be removed from thence. Five first and modern aldermen were appointed by that charter; there are now sixteen, besides the mayor.

Aldermen, functions of.

All the aldermen, by virtue of the charter of 48 George III., are justices of the peace for the borough.

The magisterial business is transacted by them entirely in open court, and is very burthensome. Beside the business of a parochial nature, each magistrate has four weeks' duty in the year, upon the daily business of the town, and four weeks' attendance at the dock police office, upon the daily business there. These attendances are regulated by formal routine lists kept for the purpose.

Upon an average, full three hours a day are occupied upon the town business, and about half that time at the docks; the daily average of business being about sixty cases requiring their adjudication.

Aldermen, emoluments of.

The aldermen have no Salary or Emoluments of whatsoever nature.

Common Council, election of

The interpretation of that part of the charter of William III. by which the Common Council of the borough of Liverpool is constituted, has been a very fertile subject of debate and litigation; but, when considered with reference to the provisions of the prior charters, no very great difference of opinion would probably remain, in the minds of strictly impartial readers, as to the true intent of its framers.

It may be expedient to state, in the outset, the provisions of the charters, in the language of the translation; to show afterwards what practical construction has been put upon them by the corporation; and to suggest, finally, what may appear to have been the intention of those who framed them.

The charter of Charles I., which is inspected and set out in that of William III., had conceded to the mayor, bailiffs and burgesses (or the greater part of them, of whom the mayor and

and one of the bailiffs should be two), the power of making and enforcing all bye-laws and ordinances, in the following terms :—

" And We further will, and by these presents, for Ourselves, Our heirs and successors, We grant to the said mayor, bailiffs and burgesses of the town aforesaid, and their successors, that the mayor, bailiffs and burgesses of the said town for the time being, or the greater part of them (of whom the said mayor and one of the bailiffs of the town aforesaid for the time being We will to be two), upon public notice thereof given, for that purpose assembled, may and shall have power and authority of granting, constituting, ordaining and making from time to time, reasonable laws, statutes, constitutions, decrees and ordinances in writing, which to them or the greater part of them (of whom the mayor and one of the bailiffs of the said town for the time being We will to be two) shall seem to be good, wholesome, useful, honest and necessary, according to their sound judgment, for the good rule and government of the town aforesaid, and of all and singular the officers, ministers, artificers, inhabitants and residents whatsoever within the town aforesaid, and the liberties thereof for the time being, and for showing in what manner and order the same mayor, bailiffs and burgesses, and all and singular the officers, ministers, burgesses artificers, inhabitants and residents of the town aforesaid in their offices, functions, ministries, trades and callings within the said town, and the liberties and precincts thereof for the time being, shall behave and conduct themselves for the further public good, common advantage and good rule of the said town, and the victualling of the same, and for all other things and causes touching or in any manner concerning the town aforesaid; and that the same mayor, bailiffs and burgesses of the town aforesaid for the time being, or the greater part of them (of whom the aforesaid mayor and one of the bailiffs of the town aforesaid for the time being We will to be two), as often as they shall have made, appointed, ordained or establish such laws, institutions, rights, ordinances and constitutions in the manner aforesaid, may and shall have power to make, ordain, limit and provide in like manner such pains, punishments and penalties by imprisonment of the body, or by fines or amerciaments, or by either of them, against and upon all offenders against such laws, rights, ordinances and constitutions, or one or any of them, as and which, to the same mayor, bailiffs and burgesses of the town aforesaid for the time being, or the greater part of them (of whom the said mayor and one of the bailiffs of the town for the time being We will to be two), shall appear to be necessary, fit and requisite for the observation of the same laws, ordinances and constitutions, and the same fines and amerciaments, to levy and have to the use of the said mayor, bailiffs and burgesses, and their successors, without hindrance of Us, Our heirs and successors, or some or any of Our officers or ministers, or those of Our heirs or successors, and without any composition to be paid out of the same to Us, Our heirs or successors; all and singular which ordinances, laws and constitutions made so as before said We will to be observed, under the penalties in the same contained, so nevertheless that such laws, ordinances, constitutions, imprisonments, fines and amerciaments be reasonable and not repugnant, nor contrary to the laws, statutes, customs or rights of Our kingdom of England."

And the charter concludes with a confirmation to the mayor, bailiffs and burgesses of all their former liberties, privileges and possessions in the amplest terms used in the like documents.

The charter of William III., inspecting and reciting at length that of Charles I., proceeds in the first instance to confirm to the mayor, bailiffs and burgesses all the liberties, &c. communicated by the latter; and then to establish a common council, in the following terms:

" We therefore all and singular the franchises, liberties, privileges, quittances, immunities, grants and confirmations before mentioned, having ratified and granted for Ourselves, Our heirs and successors, as much as in Us lies, We do accept, approve and ratify, and all and singular the said franchises, liberties, privileges, quittances and immunities, to Our beloved the mayor and bailiffs in these presents hereafter named, and to the mayor, bailiffs and burgesses of the town aforesaid, and their successors, by the tenor of these presents We grant and confirm, as the before-mentioned charters or letters patent do rationally testify, and as the same mayor, bailiffs and burgesses of the said town of Liverpool or their predecessors ever did or might or ought to use and enjoy the said franchises, liberties, privileges, quittances and immunities, although the said mayor, bailiffs and burgesses of the same town, or their predecessors, have abused or not used the said franchises, liberties, privileges, quittances and immunities, or some or any of them: And whereas it is given us to understand that a few of the burgesses of the town aforesaid, by a combination amongst themselves, without the assent of the greater part of the burgesses of the same town, and without a surrender of the before-recited charter, or any judgment of *quo warranto*, or otherwise given against the same, have procured a new charter, under the seal of the county of Lancaster, to be granted to the town aforesaid, bearing date the eighth day of July, in the twenty-ninth year of the reign of the late Lord King Charles the Second, in which sundry material changes were designed to be made in the government of the said town, which said alterations have caused many differences and doubts concerning the liberties, franchises and customs of the town aforesaid, and also concerning the election and appointment of the mayor and divers other officers of the same town: Now know ye, that We, graciously affecting the peace, tranquillity and good government of the said town, and the burgesses and inhabitants thereof, and designing to take away all those differences and doubts in this particular, of Our special favour and out of Our certain knowledge and mere good pleasure, do will, and by these presents for Ourselves, Our heirs and successors, We appoint, grant and declare, that henceforward for ever there may and shall be the officers and ministers following; viz. forty and one honest and discreet men of the burgesses of the town aforesaid, who shall be and be called the Common Council of the said town, of which forty-and one there shall be one honest and discreet man who shall be and be called Mayor of the said town, and two honest and discreet men who shall be and be called Bailiffs of the said town; and also there may and shall be within the said town one honest and discreet man, skilful in the laws of England, who shall be and be called Recorder of the said town, and one honest and discreet man who shall be and be called the Common Clerk of the said town; and that every person who beareth the office of Mayor of the said town, immediately after taking of the said office, shall be and be called Alderman of the said town during his natural life, unless for a just cause to be thence removed."

The charter then proceeds to nominate the first mayor, two bailiffs, recorder, five aldermen, and first common council of forty and one, including the nine foregoing officers. The continuance of the common councillors in office is thus regulated: " To continue in the office of common councillors of the aforesaid town so long as they shall well demean themselves,

LIVERPOOL.

unless any one or more of them, for a reasonable cause, shall happen to be removed by the mayor, bailiffs and common council of the aforesaid town, or the greater part of them, for the time being."*

The charter then nominates the first town clerk; and its provisions for the appointment of corporate officers conclude with the following remarkable clause:—

"And We further will, and by these presents for Ourselves, Our heirs and successors, We grant to the said mayor, bailiffs and burgesses of the said town and their successors, that the mayor, bailiffs and burgesses of the said town, for the time being, or any twenty and five of them assembled, of whom, the mayor and one of the bailiffs of the said town, for the time being, We will to be two, be, shall be, and may exist, a common council of the said town; and shall be able and be empowered in such manner of common council, all those things to do, ordain, execute and perform, in as full a manner and form as the forty and one council-men of the said town, in common council present and assembled, can do, ordain, execute or perform."

Now, in practice, an interpretation has been adopted of the last-mentioned clause, as if it had been merely meant to provide that an assemblage of 25, out of the originally constituted common council of forty and one, should be requisite for the valid and effectual performance of any of their functions.

This interpretation, however convenient for the maintenance of the exclusive system prevailing within the borough, is conceived to be erroneous and unfounded, for the following reasons:—

1st. It is incompatible with the plain import of the words, which grant to the mayor, bailiffs and burgesses (not that any specific number shall be a common council, as the charter had provided in establishing the forty-and-one, but) that the whole body of mayor, bailiffs and burgesses for the time being, or any 25 of them assembled, &c. shall form a common council; and that in such manner of common council, they may perform all those things in as ample manner and form, as the forty and one common councillors, in common council present and assembled, could do.

2dly. It is at variance with the whole scope and object of the charter, as recited in the preamble to the appointment of the corporate officers. The charter of Charles I. had vested the government of the borough in the mayor, bailiffs and burgesses at large; providing merely that the mayor and one bailiff should be of the quorum.

King William accepts, approves and ratifies that charter; and by the tenor of his own charter desires to confirm the same. He then recites that he is given to understand that a few of the burgesses by a conspiracy among themselves, without the assent of the greater part of the burgesses, and without any surrender of the charter of Charles I., or judgment against it, had procured that of Charles II., in which divers material changes were designed to be made in the government of the town, which changes had caused many differences and doubts concerning the liberties, franchises and customs of the town, and concerning the election and continuance of the mayor, and of divers other officers.

This recital points throughout to a restoration of the privileges enjoyed by the mayor, bailiffs and burgesses at large under the charter of Charles I.; privileges which it had already confirmed to them expressly, "whether they or their predecessors had abused or not used them, or any part of them."

3dly. The interpretation is inconsistent with both the antecedent and the subsequent provisions of the same charter, by which upon the removal of any of their own body, and upon the election of sub-bailiffs and sword-bearer (acts required to be done by the common council), the power is vested in a majority of the body, as hereafter noticed.

Common Council, functions of.

The constitution and functions of the Common Council became the subject of long and elaborate inquiry upon the trials, in and after 1792, of the case of the mayor, &c. of Liverpool against Golightly, in which the question was raised; in whom the power to make bye-laws for the government of the borough of Liverpool must be taken, under their pre-existing charters and usages, to reside.

Various extracts from the books of the corporation were laid before the Commissioners (and are sent herewith), with a view to show that according to those usages, at all events, (whatever might have been held under the charters alone) this right must be taken to reside in the select body. That which is stated to be the earliest entry upon the subject is so remarkable a document, that I think it proper to transcribe it here at length.

Edward Halsall Armig^{r} Maio^{r}, &c.

Record Book, 2. p. 196.

"An Assemblye holden in the Comon Haule of this Towne, the xiiijth daye of Januarie, in the xxvjth yeare of the reigne of o^{r} So^{v}aigne Lady Elizabethe, by the grace of God of England, Fraunce, and Ireland Quene, Deffender of the Faythe, &c., before M^{r} Maio^{r} aforesaid, wth all his bretheren thaldermen of the said Towne, and a greate number of the Co^{m}on Burgesses of the same, then and there assembled, upon good consideration had for the reformacon of di^{v}s disorders, have condiscended and agreed as foloweth; viz.

"Forasmuche as upon due consideracon of the auncient customes of this towne, it semethe there owe to be (amongest other things) a comon councell wthin the same, of the maio^{r}, aldermen, and xxiiij^{ti} others of the moste discrete and substannciall free burgesses inhabitants

* Frequent instances appear to have occurred of the removal of members of council on the score of absence from the country.

LIVERPOOL. Common Council restored.

inhabitannts thereof, by whose discreacõn or the greatter nomber of theime in their cõmon assemblies, wthout the rest of the cõmunaltie, (lyke as in other corporacõns is most comonlie used), all causes towchinge the cõmon wealthe and good governemt of this towne awe from tyme to tyme to be ordered and disposed, wche said good usage, by usurpacõn of late disordered assemblies of wholle cõmons, (wherein, throughe the varietie of oppinions of suche a multitude, seldom any good successe hath ensued,) is now so defaced, that in effecte there remayneth noe memorie thereof at all, savinge that xxiiij^ti burgesses, once ev^ye yeare, being empanelled and sworne at the nexte Portmote Courte holden after the election of the maior, to enquier of offences passed, have further, for some remembrance of the said form̃ custome, taken upon theym to p̃scribe roules and orders for the governemt of the said towne, wch, by reason that the mayor and aldermen have not bene pties there unto, have bene seldom kepte or observed, wherefore the maior for this present, muche mislykinge, hathe desyred a reformacõn. It is nowe therefore, at the request of the said maior, and in hope of the advannce-mente of the said towne, concluded & fullie agreed, by the whole assente & consent as well of the maiore & aldermen as of all the cõmons at this p̃sente assembled, That the said late usurped assemblies of the cõmons shalbe abolished, and that from henceforthe the said anncient custome of cõmon councell shall be restored and inviolablie wsed and observed; and for that p̃pose the psons under named are nowe by the same assente chosen & sworne from henceforth, in lieu and place of the said cõmons, to joyne in the said office of cõmon councell, towchinge the affaires of the said towne, with the maior & aldermen of the same, whoe, for yt twoe of theym were wantinge, are now reduced to their just nomber, (whiche they owe to be at the leste), by choise in this assemblie of John Crosse, esquier, and Robert More, gent., the name of all wch said aldermen be lykewise after wrytten: and to the entente that this order maye have contynuãnce, yt is further concluded and agreed, by the consente afforesaid, that if anye of the said councell shall happen to avoide by deathe or otherwyse, that then the reste of the sayde councell which shall remayne, or the greatter nomber of theym, shall, in the next cõmon assemblie after suche avoidannce had, electe and chuse an other to supplie that defaute, and so as often as anie suche wante shall happen to be, others from tyme to tyme to be chosen then in place, so that the cõmon councell be not decayed in nomber in anie wyse; all and ev^ye such p̃sones so to be chosen to be sworne upon the othe hereafter folowinge, and now ministred to ev^ye of the said cõmon councell elected at this p̃sent."

Upon this document the following observations arise:—

1st. So far is it from disproving the inherent corporate privilege of the free burgesses at large to enact bye-laws (a right of which nothing short of strong opposing evidence could deprive them), that it actually recognizes the exercise in point of fact of that privilege by assemblies of the whole commons.

2dly. Although true it is, that the document characterizes those acts of the commons as usurpation; yet a usurpation, of which there "remaineth no memory" to the contrary, saving that the usurping body have annually permitted 24 of themselves to exercise a concurrent authority, would be held rather to furnish evidence in confirmation of the right, than of usurpation, by any less partial tribunal than the assembly of mayor, aldermen and commons (the number of the latter of whom present does not appear) of that day.

3dly. This very document rests the establishment of the common council upon the authority of a common-hall; and places it in the light of a mere emanation from the burgesses at large, who, so far as the usage is evidenced by this entry, might at any time retract the authority so delegated by them.

Of the subsequent entries, the most important is that of the 23d September 1736, by which, after the death of the Earl of Derby, the common council annulled the proceedings of the common-hall, called in the mayoralty of that nobleman; and directed their town clerk to expunge them from the records of the corporation; but that officer, true to the body from whom he derived his official existence, disclaimed having ever recorded the obnoxious bye-laws. For the entry proceeds to state that, "The town clerk, being now called upon to produce the above-mentioned orders or bye-laws, declares that he hath not them in his custody, nor hath he entered them in any book or record in his custody belonging to the corporation." The measure of retributive justice of the self-elected body is filled by the dismissal "to all intents and purposes from their respective office of councilmen," of those bailiffs who had abetted the public spirited earl in summoning and holding a common-hall.

The other entries quoted from the corporation books, as well as the records in the cases of Rex *v.* Walker, and Rex *v.* Birch (copies of all which are sent herewith), point merely to the mode of election of common councilmen, and do not seem to have any direct bearing on the important question as to the power of the burgesses at large, in common hall assembled, to enact bye-laws, for the good government of the town and corporation; and giving its full effect to the usage established in proof on the trials in 1792, and to the language of the charter of Charles I., I am bound nevertheless here to state, as the result of these inquiries, my own impression, that in granting the charter of William III. it was the intention of the Crown to reserve to the mayor, bailiffs and burgesses of Liverpool the full legislative powers confirmed to them under the charter of Charles I.; and that it constituted the council of 41, for the purpose of creating a body, from whom the principal corporate officers were to be elected; who were themselves to elect and nominate most of those officers; to assist the mayor in the various executive departments of his office; and generally to consult with him for the good government of the town.

It has been attempted to raise a difficulty in the way of this construction, by asking, what then can be the intended operation of the clause by which the mayor, bailiffs and burgesses,

LIVERPOOL.

or any 25 of them, assembled, &c. are erected into a common council, with like powers as the forty-and-one? It seems to me that a satisfactory solution of this problem was given by one* of the learned counsel who argued against the motion for a third trial of the case of Mayor of Liverpool *v.* Golightly. "There was a long dispute in this borough, in times of high political rage and party; and this charter in all probability was a compromise between the contending parties. The king was satisfied when he got the nomination of a charter common council that should be friendly to him hereafter; and that was a great point gained. It might so happen, that a great many of the men, who were appointed common councilmen, might refuse to act, it appears they† did; and it might so happen that there might be a greater number who would refuse to act than would leave a charter council, and therefore it was necessary to provide that there should be another body ready in the corporation that might do all those acts that the body were appointed to do; and it is rational to suppose, that too many might resign their places, and there not be enough to fill up the succession; therefore the Crown took care to have a succedaneous body, that the council should be kept up." ..... "I do not say that, if the forty-and-one were to be ready at all times and seasons to do the business, the others should step in upon them, and say, 'We will take the business from you.' No; but if the forty-and-one should say they would not act by order of the mayor, that then it was a reasonable thing there should be this council to act."

Working of the Constitution.

It might not be very difficult to anticipate what would be the working of such a system; and perhaps those who framed the charter foresaw distinctly enough the actual result. The provisions of the charter of King William, by which the common council was to remain self-elected, and to be the body from which all the chief officers must be chosen, coupled with that of King Charles I., by which no common hall or assembly of the burgesses could be holden without the assent of the mayor and one bailiff, have been found practically to oppose an insuperable bar to the rights of the burgesses. And although it has been shown that in the mayoralty of James Earl of Derby, in 1735, and again upon the memorable trials in 1792, spirited attempts were made to assert those rights and to put in force the will of the burgesses, expressed in bye-laws enacted at common halls, yet the select body has always ultimately prevailed; and the corporation of Liverpool still continues to wield irresponsibly in practice, that uncontrolled power, to the effects of which attention will be invited in subsequent passages of this Report; but which are summed up in the petition for corporation reform, presented to the House of Commons by the bankers, merchants and householders of Liverpool; to the following effect:—

Petition for reform of.

"To the Honourable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled.

"The humble Petition of the undersigned Bankers, Merchants and Householders in Liverpool:

"Sheweth,

"That your petitioners have hailed with the greatest satisfaction, the appointment by your Honourable House, of a Committee to enquire into the state of existing Municipal Corporations, to the intent that all abuses therein may be remedied, and that the constitutions thereof may be so amended, as to prevent their privileges and powers being longer used as the means of oppression, or abused for the purposes of individual or family aggrandisement; and thereby secure the confidence of the communities in which they exist, and be more fit for the purposes for which they were originally established.

"That the corporation of Liverpool consists of the mayor, bailiffs and burgesses.

"That amongst the many grievances by which your petitioners feel themselves affected, as arising out of the exclusive privileges and extraordinary powers assumed and exercised by the municipal authorities in Liverpool, your petitioners submit the following to the consideration of your Honourable House, as calling imperatively for redress.

"That the mayor, two bailiffs and thirty-eight burgesses, designated by the title of 'common council,' have for many years assumed the entire management of the municipal and financial affairs of the borough, and the power of themselves supplying all vacancies in the common council; whereas by the charters of the borough, the control of the expenditure of the corporate purse, the right to make all appointments, including those of common councilmen, and the power of making bye laws for the good rule and government of the town and its inhabitants are, as your petitioners believe, vested in the burgesses at large in common hall assembled; but that the common council by electing such persons only into council as they were satisfied would not call the burgesses together, have successfully resisted the holding of any common hall since the year 1791, and having thus at their sole disposal, without any check, control or appeal, an immense estate rapidly increasing in value, and already producing an income of about 100,000*l.* per annum, the temptations to which all self-elected and irresponsible bodies are peculiarly exposed, have been found irresistible.

"That the appointment to vacancies in the common council has become notoriously a matter of interest and favouritism, the majority of its members being closely united together by the ties of family connexion and relationship, so that the whole power and authority of the corporation has virtually centered in two or three families.

"That a large proportion of the inhabitants of Liverpool are dissenters of various denominations, many of them extensively engaged as bankers, merchants, brokers and tradesmen, possessing great wealth and property in the town, and yielding to none in intelligence and moral worth; and although several years have elapsed since the Test and Corporation Acts were repealed, and many vacancies in the common council have been filled up, not a single instance has occurred, of a Protestant Dissenter or a Roman Catholic having been admitted a member of that body.

"That

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* Mr. S. Heywood.

† Three common councilmen and two aldermen refused. *See* the entries of 4th October and 6th November 1695, sent herewith.

"That the mayor of the borough continues a magistrate for life, and that the only control which the burgesses (who are about 4,000 in number) now possess over the affairs of the corporation, is, annually to elect a mayor and two bailiffs out of the 41 self-elected common-council, whilst the inhabitants at large who exceed 160,000 have no voice in such annual elections, but frequently witness thereat the most flagrant bribery and corruption.

"That the common council have also assumed to themselves the power of making burgesses, from time to time, without any control as to the title of the individuals thus favoured, or any check against the abuse of such a power.

"That in the execution of the public works and repairs of the buildings belonging to the corporate estate, there have been at different periods many instances of lavish expenditure, to the great injury of the property of the corporation, and though the force of public opinion has led to the throwing open for a time some of the contracts to competition, yet the public have no security against the recurrence of similar abuses.

"That the common council have also made appointments which have usually been held for life, and have produced to the individuals holding them incomes of from 1,000*l.* to 3,000*l.* and more per annum, which appointments are chiefly held by members of their own body, or by their nearest family connexions.

"That until about the year 1770 the freedom of the borough was regularly sold to all willing to purchase it, the proceeds arising from the sale forming a considerable item in the corporate revenue, and the price varying from 40*s.* to 50*l.*; but that the freedom is now only obtainable by descent, as a son of a freeman born within the limits of the borough, by serving an apprenticeship of seven years to a freeman, or by gift from the common council.

"That the existing restrictions on obtaining the franchise have the natural effect of limiting it chiefly to mechanics and labourers, and to persons of very limited education and property, who are consequently very much dependant on the will of others, and peculiarly exposed at elections to the temptations of bribery and undue influence; and as the corporation claim to be entitled to tolls on the import and export of all goods into and out of the port of Liverpool, to whomsoever belonging, except to the freemen of the borough, the obtaining the freedom through the gift of the common council is a valuable boon to an extensive trader, and is consequently made an object of interest or favoritism.

"That the merchants and others from whom these tolls are principally levied carry on extensive trades, and are holders of large properties in Liverpool, so that under the present system of exclusion from the body corporate of those thus largely contributing to the tolls and prosperity of the town by far the larger proportion of the burgesses, instead of being composed, as they were in former times, of the substantial inhabitants of the borough, now consists of persons having little interest in its welfare or prosperity, thereby defeating the original intention of the Crown in conferring municipal privileges upon the town and its inhabitants.

"That the tolls so exacted by the corporation are regulated by no uniform principle of bulk, weight or value, and are therefore uncertain and variable; that they are also unreasonable, partial in their operation, and oppressive in amount, the tolls on some articles of import and export being from 5*l.* to 10*l.* per cent. on their value, thereby rendering it impracticable for any non-freemen to compete with a freeman in the trade of such articles.

"That prior to the year 1708, when the first Liverpool Dock Act was passed, the corporation kept the port in repair, and furnished all the accommodations which its trade required, they then asserting that the tolls on exports and imports had been granted to them for those purposes, but that various Acts have been since passed imposing tonnage duties on all ships having resort to the port, and dock rates on all goods imported and exported, the operation of which has been, that the trustees of the dock estate have built all the docks, and now furnish all the accommodation required for goods and ships in the port, and, under the Dock Acts, a revenue is derived which amounted last year to 95,517*l.* 2*s.* 0*d.* on goods, and 74,530*l.* 4*s.* 11*d.* on tonnage.

"That the corporation nevertheless continue to exact payment of the tolls, and the same, which have amounted of late years to 50,000*l.* per annum, are applied to purposes wholly unconnected with the shipping and commerce of the port.

"That several merchants in Liverpool, who are British subjects, have paid in tolls, on account of their own goods and those of others which they have imported and exported, from 500*l.* to 1,000*l.* per annum, whilst some of their competitors in business, who are burgesses, have saved by their exemption from those tolls several hundred pounds per annum.

"That your petitioners do not seek to be relieved from the payment of any reasonable and just tax, local or otherwise; but they respectfully submit that all their fellow townsmen and competitors in trade should pay alike, and that all in equal stations should enjoy equal privileges, and be subjected to equal duties, so that the benefits of the British constitution may be imparted to the whole community.

"Your petitioners therefore most earnestly pray, that your Honourable House will be pleased to direct all necessary enquiries into the matters aforesaid, that you will grant to them such relief as to your Honourable House may appear meet, that you will provide that the householders of the borough shall have corporation privileges, that the mayor, bailiffs and common council of the borough may be elected by all who possess the right of voting for Members of Parliament, and that their duration in office may be for a limited period.

And your petitioners will ever pray, &c."

The allegations contained in this petition appear to me to have been substantially maintained, by admission or by satisfactory proof. In making this statement, I must be taken, of course, as speaking argumentatively only as to the first ground of complaint stated; involving (as it does) the assertion of a proposition of law, respecting which a difference of opinion has subsisted among the highest legal authorities. The facts averred in that allegation are notorious.

Arguments of advocates of present system.

Some exultation was exhibited on the part of the corporation, at the small amount of flagrant abuse supposed to have been developed upon the inquiry. But in a great and flourishing sea-port, like Liverpool, where the existence of the corporation may be said to depend on the prosperity of the mercantile and commercial interests (for what, without this, would become of the bond debt of 800,000*l.*?) where the eyes of hundreds of acute

 merchants

LIVERPOOL.

merchants are daily fixed on their neighbours in all the varied transactions of life; and where ten weekly newspapers publish all those transactions to the world; it would have been vain to expect to find bare-faced peculation and downright plunder. No power, however irresponsible, can be altogether without some control from the opinions and passions of mankind.

And with still less of reason (as it seems to me) have the rapid advances of the town and port of Liverpool to its present prosperous state, been vaunted as arguments in favour of the good government of the corporation. It might indeed consist with the duty (as it certainly was not unworthy of the eloquence) of their retained advocate to exclaim: "That this quondam village, which is now fit to be a proud capital for any empire in the world, has started up like an enchanted palace, even in the memory of living men, under a government founded in antiquity too dark to pierce the cloud of"—and to assert, that "all this has been created by the industry and well-disciplined management of a handful of men in a corner of the island."*

But how little the handful of men (if the select body be meant) have contributed to that "resort of merchants" which Leland pointed out as the source of this prosperity, may have been gathered from the discussion respecting the towns' duties; and if the industry of the "Manchester men," commended by the same author, the Coalfield of Lancashire, and the powers of steam, had not conspired with the natural commodiousness of the haven for her advancement, Liverpool might still have remained what she was when the "cloud of antiquity" rested upon her government.

It must be admitted, that, in the main, the corporation have evinced economy and good management in their affairs; that, as magistrates, they are attentive to the duties, and careful of the due regulation of the borough; and that, as its governing body, their conduct seems to have been materially influenced by a desire to promote its welfare. But when we still find a spirit of discontent pervading a very large proportion of the most wealthy and intelligent inhabitants, this fact would of itself seem pregnant evidence that the system, in its silent working and exclusive operation, is fraught with all the evils that are every where found among self-elected bodies.

Mode of election.

In exercising their functions of electing members into their own body, the practice has been, for the town-clerk to summon every member of the council (by a card left at his house) to attend on a stated day and hour; the vacancy is announced at the first succeeding council; the election takes place at the second. Forty-eight hours' notice is given of every special meeting.

If there are not twenty-five members assembled together at eleven o'clock on the appointed day, the meeting disperses. This, as already stated, is in conformity with their interpretation of the provisions of the charter.

Functions, special.

The general functions of the common council, in the administration of the affairs of the corporation, will be disclosed in various passages of this and of the Dock Estate Report. Important duties of a special nature also devolve upon various sections of their body, as members of several committees, of which the following are the principal:—

The Finance Committee, twenty in number, who assemble weekly on Fridays. All the aldermen are *ex officio* members of it.
The Town Improvement Committee.
The Schools Committee.
The Freemans' Committee, for inspecting claims for admission to freedom.
The Customs Committee.
The Town Dues Committee.
The Audit Committee.
The East India Committee.

All the above are standing committees; certain portions of other committees are required to be chosen, from time to time, from among the common council; as,

Of the Dock Committee - - - - - - - -	13 members;
Of the Commissioners for auditing the Dock amounts -	4 members;
For the Boards of Sewers - - - - - - -	9 members;
For the Court of Requests - - - - - - -	4 members;
For watching, lighting and paving, under a local Act - -	all the aldermen.

Emoluments.

The common council have no salaries or emoluments whatever.

Sub-Bailiffs, election of.

The charter of William III. provides that the common council assembled, or the greater part of them, shall have power and authority of choosing and nominating, yearly, on the feast of St. Luke, two of the free burgesses of the town, who shall be the Sub-Bailiffs for one entire year then next following. They are removeable for misconduct, or other reasonable cause, by the same body.

Functions of.

It also defines their functions; declaring that they shall assist and be auxiliary to the bailiffs in all matters concerning their office.

Salaries.

Each sub-bailiff receives a salary of 20 *l.*, out of the corporate funds, for his year of office.

The

* Speech of Mr. Erskine in the case of Mayor, &c. of Liverpool *v.* Golightly.

LIVERPOOL.

Deputy Mayor, appointment of.

The same charter ordains, that, for the better rule and government of the people of the town, and lest any defect in the administration of justice should happen in the absence of the mayor, he shall have full power and authority of deputing and constituting any one other free burgess of the town to execute the office of mayor in his absence or sickness, and of swearing in such deputy to the good and due execution and performance of the office during his absence or sickness, as often as the occasion shall happen to arise.

The appointment is by a regular power under the hand and seal of the mayor, a copy of which is sent with this Report. The deputy has no salary or emoluments.

Sword Bearer, election of.

The charter of William also concedes to the mayor, bailiffs and burgesses, the privilege of having a sword, and full power and authority of bearing such sword before the mayor of the town for the time being. For which purpose the common council, in council assembled, or the major part of them, (of whom the mayor and one bailiff must be two) are empowered to choose and nominate one honest man to be Sword Bearer, to continue in office during their pleasure.

Function & Salary.

The sword-bearer attends upon the mayor on public official occasions, and receives a salary of 210 *l.* a year.

The present officer has been 52 years in the service of the corporation, during great part, in the office of sword bearer. Formerly certain fees were payable to this officer on the issuing of summonses by the borough magistrates, and the annual salary at that time was only 80 *l.* But complaints having been made on the subject, the common council, on the appointment of the present sword bearer in 1814 abolished those fees, and advanced the salary to 210 *l.*

A fee of 2 *s.* used also to be payable to the sword bearer by each freeman newly appointed, on being sworn in. That fee was subsequently withdrawn from the sword bearer, without any further compensation, and made payable to the serjeant at mace.

Clerk to the Magistrates.

The institution of the office of Clerk to the Magistrates for the borough of Liverpool, has been already noticed in that part of my Report which relates to the office of town clerk. He holds his office at the pleasure of the magistrates. His duties are defined in the resolution of the select finance committee before set out. The present clerk to the magistrates, at the date of his appointment, had been for nearly 38 years employed in the office of the town clerk.

There is no fixed salary of the clerk to the magistrates. His remuneration is derived wholly from fees of office, which are those fixed either by the judges or by statute: the net yearly value of these fees, after payment of the salaries of two clerks and all other expenses, was estimated at from 900 *l.* to 1,000 *l.*

A large influx of business from prosecutions has, however, accrued to the clerk to the magistrates, since the division of the offices, which could not previously be transacted by the town clerk, who was clerk of the peace by virtue of his office. The profits of that business are very considerable, and are not included in the foregoing estimate, the clerk to the magistrates considering it in the nature of private business.

Treasurer, appointment of.

The office of Treasurer was instituted in 1716, in pursuance of a bye-law of the common council, by whom the appointment is made. It is a general appointment, understood to continue during life.

Functions.

His duty consists in keeping the cash of the corporation, and making disbursements from their funds, upon orders issued by them for that purpose. A chief and an assistant clerk aid in the performance of his office. These, though in practice nominated by the treasurer himself, are also appointed and paid by the common council.

Clerks.

Salaries.

	£.	s.	d.	
The salary of the Treasurer is - - - -	1,000	–	–	a year.
„ of the Chief Clerk - - - -	262	10	–	„
„ of the Assistant - - - -	150	–	–	„

They have offices found them.

The salary of the treasurer was fixed at its present amount in 1820, on the appointment of the present officer. It had been previously 500 *l.* a year, and the treasurer was then required to enter into his own surety only in 5,000 *l.* for the faithful discharge of his office.

By a resolution of the council passed on the 5th July 1820, the duties, regulations and emoluments of the office, were referred to the select finance committee, and the newly elected treasurer, John Dean Case, esq., was required to find two sureties in the sum of 5,000 *l.* each.

The finance committee reported their recommendation that the salary in future should be 1,000 *l.* a year; but that the treasurer should forego being concerned, directly or indirectly, in any other business; and should not accept any other appointment, the whole of his time being expected to be devoted to the duties of his office; for the due performance of which he should himself be bound in the sum of 10,000 *l.*, in addition to his two sureties in 5,000 *l.* each.

These conditions were stated as accounting for the great and sudden advance in the amount of the salary thus charged upon the funds of the corporation. Reference, however, to an accompanying document, will show that from the date of the first establishment of the office in 1716, the salary has always been sufficiently attractive to command the services of some member of the common council itself.

LIVERPOOL.

The father of the present treasurer was an alderman at the time of his election; and he had relations among the council.

Clerks, duties of.

The two Clerks find security to the treasurer for the due performance of the duties of their office, which are said to occupy their whole time. This, however, must be taken with some qualification, for the chief clerk not only acts also as receiver of the Graving Dock dues, but has the management of the wine in the town's hall cellars; acting, in effect, as chief butler to the corporation, and receiving a salary of 50 *l.* a year, as a reward for the fulfilment of that office, which cannot by any means be considered a sinecure; of the present clerks, who are brothers, one was assistant clerk under his father for a period of 17 years.

Collector, appointment of.

The Collector, or out-door assistant of the treasurer, is appointed by the common council.

This is an office of still more recent origin than that of treasurer: the present collector, who has held it 30 years, having been the first appointed.

Functions.

His duty is to collect the small rents of the corporation; some small house rents; but principally church-seat rents, which amount altogether to about 1,400 *l.*

Salary.

The time of this officer also was stated to be fully occupied by the duties of the office. His salary is 100 *l.* a year.

Surveyor, appointment of.

The Surveyor is appointed by the common council. The present officer, Mr. John Foster, is brother to the town clerk, and succeeded in 1824 to his father, who had held it for a period of 40 years, and was a most confidential servant of the corporation.

Functions.

His functions are to plan and superintend the formation and erection of all public works and edifices made at the expense of the corporation.

The erection of the new Custom-house, which has been in progress for about six years, and is rapidly approaching to completion, has added greatly to the active duties demanded from the surveyor; but his ordinary functions, independently of that work, were stated to be sufficient almost fully to occupy his time, as there is most commonly some public work in progress at the expense of the corporation.

Salary and Emoluments.

The fixed Salary of the surveyor is 1,000 *l.* a year; his father's salary was 500 *l.*, but he was permitted to carry on his trade as a builder; whereas the present surveyor is prohibited from carrying on any business, unless with the leave of the common council or mayor. This license appears to have been sparingly exercised, only three entries appearing of leave of absence granted, for the space of three days each.

New Custom House per centage.

Mr. Foster receives also a per centage of 5 *l.* in the 100 *l.* on the entire sum expended in the erection of the new Custom-house, the estimate for which amounts to 175,000 *l.*; of which sum 150,000 *l.* is contributed by Government. There is nothing in the Act of Parliament specifically authorizing the payment of this commission to the surveyor, upon the sum advanced by Government; but it confirms the Treasury minute, in whch the surveyor's commission on the estimates is included; and the Act is thus said to have impliedly sanctioned the charge. It was stated also that Mr. Canning, the minister of the day, and Mr. Huskisson, were both cognizant of that charge. The corporation are to pay all beyond the sum of 150,000 *l.*, whether the estimates be exceeded or not. They also stipulate to keep the building in repair for ten years after its completion; during which time the superintendence of the surveyor will be required; and they have given the valuable site upon which it is erected, (estimated, upon the ordinary produce of land similarly situated in Liverpool, at above 80,000 *l.*,) with the exception of a small portion given by the trustees of the Dock estate.

The building comprises also accommodation for the departments of the Excise and Post-office, and for the stamp distributors.

The surveyor has an office found him by the corporation, but no dwelling house or perquisites.

Draftsmen.

The principal and three assistant Draftsmen are appointed by the surveyor, subject to the approbation of the common council. This assistance is said to be fully required for the due performance of the duties of the office.

Salaries.

The principal has 300 *l.* a year. The assistants 157 *l.* 10 *s.* each.

Out-door Assistant.

The Out-door Assistant of the surveyor has 104 *l.* a year.

Receiver & Auditor of Town's Dues.

The details respecting these officers have been already given in treating of the town's duties.

Surveyors under Building Act.

There are three surveyors under the Building Act, whose duty it is to overlook the construction of party walls, and prevent the erection of unsubstantial or insecure buildings.

They are appointed by the borough magistrates in quarter sessions assembled.

Salaries.

The principal has 100 *l.* a year.

The two assistants 50 *l.* a year each.

Clerk of the Committees.

A Clerk of the Committees was appointed on the 3d March 1824, in pursuance of a recommendation of the common council, contained in a resolution bearing date the 25th February 1824.

His duty (which is accurately defined in that resolution) is to attend the several committees, take minutes and keep a register of their proceedings, conduct their correspondence, &c. He is provided with an office in the Town-hall, and required to devote the whole of his time to the service of the corporation.

Mr. Charles

LIVERPOOL.

Mr. Charles Okill received the appointment with a Salary originally of 250*l.*; at three subsequent councils it was raised to 400*l.*, 500*l.*, and finally, on the 3d of September 1828, to 600*l.*, its present amount. Salary.

The Serjeant-at-Mace is appointed by the common council. His functions, which consist principally in the serving of process, are set forth in the oath taken by him. Serjeant-at-Mace.

He receives a fixed salary of 130*l.* a year, beside some caption fees payable on the service of process, which are specified in the table of fees accompanying this Report.

The Billett-master is also appointed by the common council. He assists the bailiffs in billetting soldiers on their passage through the town. His salary is 100*l.* a year, and he is prohibited from following any other business. Billett-Master.

The Beadle is similarly appointed. His chief duty is to attend upon the coroners at in quests; but he acts also as a constable for the borough. Beadle.

He has a salary of 61*l.* 2*s.*, and a fee of 1*s.* on every inquest holden in the borough. The beadle and all the other constables are clothed at the expense of the corporation.

The Bellman, who performs the duties of crier for the borough, has a yearly salary of 15*l.*, certain fees upon proclamation, and clothes allowed by the corporation. Bellman.

The title of Harbour Master has been conferred in modern times on the officer who formerly executed the same duties under the name of Water-Bailiff. The present harbour-master, Mr. John Askew, was appointed in 1816. He holds also the appointment of Superintendent of the Graving Docks belonging to the corporation, as well as to the Dock estate. Water Bailiff or Harbour Master.

The harbour-master is appointed by the common council. He receives a salary of 200*l.* a year out of the funds of the corporation for performing the duties of this office, and superintending their graving docks; and an additional salary of 300*l.* a year from the Dock committee. His whole time is said to be occupied by these duties, and there is a resolution of the council under which he is prohibited from being concerned in trade while he shall hold the office. A question arose as to the due observance of that order by the present officer, which, with other matters of complaint, relating peculiarly to the regulations of the port, will, it is conceived, fall more appropriately under consideration in the report on the Dock estate.

Under the Harbour-Master is an officer called the Deputy Water-Bailiff, by whom all process is executed upon the waters within the jurisdiction of the borough. He is appointed by the common council, and receives a salary of 20*l.* a year. He acts also as one of the head constables. Deputy.

The Governor of the Borough Gaol is appointed by the council, with a salary of 350*l.* a year, and a house in the gaol. He has under him four turnkeys and a watchman, similarly appointed. Governor of Borough Gaol. Turnkeys and Watchman.

The two senior Turnkeys have salaries of 70*l.* 4*s.* each; the other two of 68*l.* 4*s.* The Watchman has a salary of 52*l.*

The governor is not a freeman of the borough; of his five assistants, only one is a freeman. And it may here be observed, generally, that in their appointment of subordinate officers, the common council do not appear to have been influenced by any partiality for those free of the corporation.

The common council appoint a Superintendant of the Police, with a salary of 400*l.* a year. It was very recently raised to that amount from 300*l.*, upon a stipulation that in future the superintendant should relinquish all fees and perquisites of office whatsoever; the neighbouring Justices for the county having complained that upon the execution of their warrants certain fees were taken. Superintendant of Police.

The Dock Committee had also raised the salary of their superintendant to 500*l.*; and this was stated (not without reason, considering the constitution of that committee,) to have probably influenced the borough magistrates in advancing the salary of their officer.

He has a house rent free, and is not permitted to carry on any trade.

The Keeper of the Town Hall, whose duties are denoted by the title, is also appointed by the council. Keeper of Town Hall.

He has a house rent free, and 73*l.* a year.

The Leave Looker has 104*l.* a year. The principal Market Looker 200*l.* a year; the South Market Looker 160*l.* a year, and the North Market Looker 140*l.* All are appointed by the common council. Leave Looker and Market Lookers.

V.—The Freedom of the borough of Liverpool is acquired in the following modes:— Mode of acquiring Freedom.

1. By birth. Every son of a freeman born within the borough, and whose father had been admitted at the time of the birth, is entitled to admission to the freedom.

2. By servitude within the borough, as apprentice to a freeman for a term of seven years.

3. By gift from the common council, without restriction.

4. By annual appointment of one freeman, by the mayor for the time being.

LIVERPOOL.

By a resolution of the common council, passed 6th November 1816, confirming an ancient order of the 6th April 1674, admissions to freedom acquired by servitude must be enrolled in the town clerk's office within three months after the date of the indenture, on payment of a fee of 2*s.* 6*d.* The indentures are produced, on the expiration of the term of seven years, before the freeman's committee; are examined and inquired into by the town clerk; and passed or rejected by the committee, according to circumstances.

Gifts of Freedom.

In former times it happened frequently, but rarely of late, that freedom has been conferred by gift from the common council: and although very large admissions of parties entitled to their freedom by birth and servitude have taken place, upon their own motion, in 1812, and at other contested elections, with a view to electioneering purposes, yet it is admitted that there has been no instance in modern times of any creation, by gift, of batches of freemen with such objects.

Bribery at Electio

The extent to which bribery and corruption, at elections for chief magistrates and members to serve in Parliament, have been carried within the borough of Liverpool, has been a subject so frequently and largely discussed in Parliament, that it is thought expedient here to refer merely, 1st, To those Reports of Select Committees of the House of Commons which have been made upon this subject; and, 2dly, To that part of the evidence taken upon the present inquiry (as stated in the printed Report), which relates to the matter in question.

Reports of Select Committee, March 1831.

On the 19th March 1831, the petition of John Wybergh and others, merchants and electors of Liverpool, complaining of an undue election and return for the said borough, was read to a Select Committee of the House of Commons. After an inquiry, which occupied five days, and during which 29 witnesses were examined, the committee came to the following resolutions:

"That William Ewart, Esquire, is not duly elected a burgess to serve in this present Parliament for the borough of Liverpool.

"That the election of a burgess to serve in this present Parliament for the borough of Liverpool is a void election.

"That the said petition did not appear frivolous or vexatious.

"That the opposition to the said petition did not appear frivolous or vexatious.

"That it appeared that there had been gross bribery at the late election for a burgess to serve in Parliament for the borough of Liverpool."

March 1833.

On the 6th March 1833, upon the presentation of the petition sent herewith, it was

"Ordered, That a select committee be appointed to inquire into the matters complained of in the petition of the electors and other inhabitants of Liverpool, complaining of the bribery and corruption which have prevailed at elections for the chief magistrates, and for representatives for the borough, which was presented on the 21st day of February last; and to report the result of their inquiries to the House.

"Ordered, That it be an instruction to the committee, that they do report, in the first place, the result of their inquiries as to bribery and corruption in the late election."

After an inquiry which occupied eight days, and during which about 100 witnesses were examined, the committee agreed to the following Report:

"That cases of bribery and corruption have been proved at the late election for Liverpool; but that such cases do not appear to have been with the authority of the candidates, or to have been pursued systematically or extensively."

July 1833.

On the 4th July 1833, it was "resolved, That a select committee be appointed, and pursue the inquiries commenced by the committee appointed 6th March, into the matter complained in the petition of the electors and inhabitants of Liverpool" (presented 20th February); and on the 29th July 1833, after an inquiry of ten days, during which fifty-two witnesses were examined, the committee agreed upon the following Report:

"That bribery and corruption have existed in the elections of members of Parliament and chief magistrates for the borough of Liverpool, and in some cases to an enormous amount.

"That your committee have confined their inquiries to the corrupt practices existing in the elections of chief magistrates and members of Parliament, since the year 1823 inclusive.

"And your committee have not instituted any further inquiry into bribery and corruption alleged to have been practised at the election of 1832; such inquiry having been the immediate object of the former committee, and having been already reported upon by such committee to your Honourable House.

"That between the years 1823 and 1826, both inclusive, and in the year 1828, the elections do not seem to have been keenly contested; and there is no evidence of particular bribery or treating having been resorted to.

"That at the contested election for Mayor in 1827, the price of votes began at the sum of 6*s.* each, and rose to 20*l.*; and at the contested election for a candidate for the representation of the borough in 1830, the price began at 2*l.*, and rose to 60*l.*, and in one instance to 80*l.*

"That at this contest in 1827 for mayor, the election cost each candidate, or his friends, 7,000*l.* or 8,000*l.*; and that at this contest in 1830, for the representative, the election cost each candidate or his friends, upwards of 40,000*l.*

"That from documents and evidence on the minutes of this committee, it appears that 2,661 individual freemen of the borough at this election were systematically bribed, and that no evidence has been tendered before this committee to refute the imputed bribery.

"That of the 2,661 freemen thus bribed in 1830, 1,880 of the same persons still remain on the register entitled to vote; and that your committee deem it proper to report to your Honourable House, that the burgesses or old freemen are the only persons entitled to vote at the annual elections of chief magistrates and bailiffs for the borough.

"That it has been proved that, at two different periods before 1823, two offices in the Customs were bargained for and sold; and that the proceeds of these sales, as they arose, were separately handed over

to

to the committee for the time being, of one of the candidates for the representation of Liverpool, under the name of 'A Subscription towards defraying the Expenses of the contested Election,' on the part of the said candidate.

"That at present many houses in Liverpool assessed at the *bonâ fide* value of 10 *l.* and under 12 *l.* are compounded for, the rates for such houses being now paid by the landlord; yet there still remain on the register entitled to vote 7,656 householders, which number is constantly increasing.

"That the corporation of Liverpool, conducting the defence on behalf of the freemen, in this inquiry, are governed by a council of 41 members, who are self-elected, and disburse a revenue exceeding 98,000 *l.* per annum, the accounts of which are annually published and circulated; and the members of this council are alone eligible to the office of chief magistrates and bailiffs.

"That the bribery and corruption, both at elections of chief magistrates and members of Parliament, were presented by the grand jury, in open court, in the year 1827, as a nuisance.

"That it appears from the Journals of the House, that on the 4th of February 1828, a petition from the mayor, bailiffs and burgesses of Liverpool was presented to the House, and a Bill was accordingly brought in and read a first time on the 12th of February of that year, for providing a more convenient place, and making certain regulations for the elections of members to serve in Parliament for the borough of Liverpool, in the county of Lancaster; and also of a mayor and bailiffs for the said borough; for fixing a certain period within which persons admitted to the freedom of the borough shall be entitled to vote; and for preventing frauds in the personations of voters; and the same was read the first time, and ordered to be read a second time."

And that no further proceedings have since taken place:

"That your committee find, that in 1831, March 28, a committee of the House appointed to try the merits of the petition, reported, 'That gross bribery and treating prevailed during the late election for a burgess to serve in Parliament for the borough of Liverpool.'

"That in 1831, March 29, the House suspended the writ, *nem. con.*

"That in 1831, April 16, the House further suspended the writ.

"That in 1831, April 22, Parliament was dissolved.

"That in 1831, May 3, in a new election for Liverpool, Mr. Ewart and Mr. Denison were returned.

"That in 1831, June 24, Mr. Benett gave notice that he would, on the 29th June, move resolutions on the state of the representation of the borough of Liverpool.

"That in 1831, July 6, Mr. Denison having been elected to serve for Nottinghamshire, moved a new writ for the borough of Liverpool, when the Marquis of Chandos moved the adjournment of the debate until the next day, which was agreed to, *nem. con.*

"That in 1831, July 8, Mr. Denison again moved for a new writ for Liverpool, and the Marquis of Chandos moved the adjournment of the debate until the House had disposed of Mr. Benett's motion: and that the House divided, for the issuing of the writ, 99; against it, 117.

"That in 1831, September 5, Mr. Vernon moved for a new writ for Liverpool, when Mr. Benett proposed as an amendment, that the House do agree in the Report made on the 26th March last, 'That gross bribery and treating prevailed during the late election at Liverpool, (viz. 1830.)'

"The House divided, for issuing the writ, 35; against it, 76; when it was resolved, 'That such bribery and treating required the most serious consideration of the House.'

"'Ordered, that leave be given to bring in a Bill to prevent such bribery and treating.'

"That in 1831, September 19, a Bill for disfranchising the freemen was read a first time, and ordered to be read a second time.

"That in 1831, October 12, the Bill was read a second time.

"That Mr. G. Vernon moved a new writ for Liverpool; for issuing the writ, 93; against it, 67.

"That in 1831, November, there was a new election.

"That in 1832, January 27, leave was given to bring in a Bill to prevent bribery or treating at Liverpool.

"That in 1832, January 31, the Bill was presented and read a first time.

"That in 1832, May 23, the Bill was read a second time, ayes, 44; noes, 10.

"That in 1832, May 24, witnesses were ordered to attend the Committee: 1832, June 27, 'Resolved, That the House will resolve itself into the committee.' 1832, July 4, resolution read: 'Ordered, That it be an instruction to the committee that they have power to examine witnesses in support of the Bill.'

"That during the period comprised between March 28, 1831, and the month of July 1832, two elections for members for the borough took place.

"That in the elections subsequent to 1830, the suspension of the writ and the proposed Bill for disfranchisement appear to have had a beneficial effect in restraining the practice of bribery and corruption.

"That the elections of chief magistrate frequently continue several days; and according to the custom of the borough, when St. Luke's day falls on a Sunday, the election for mayor commences on the morning of that day, and has been known to continue until twelve at night.

"Your committee, therefore, having duly weighed and considered the evidence laid before them, both in support of the petition as well as that on the part of the defence, feel themselves in duty called upon to recommend to your Honourable House to introduce a Bill to restrict the franchise, and to alter the system of elections in that borough, as well for members to sit in Parliament as for the municipal officers; and that you will adopt such measures, as under the circumstances may appear to your Honourable House best suited to obtain the desired purity of elections.

"Your committee cannot conclude this Report without directing the attention of your Honourable House to the conduct of freemen in a better class of life, and in good circumstances, who have shown fully as much readiness to take bribes as the poorest and most destitute of their fellow-burgesses."

"29 July 1833."

Evidence on present inquiry.

The evidence, tendered on the present inquiry, that bears most materially on this question, is that of Mr. William Rathbone, which will be found at page 36 of the printed report of the evidence, and that of Mr. Peter Woods at page 42 of the same report, published by Egerton, Smith & Co., and sent herewith.

Mode of acquiring Freedom; Complaints respecting.

In connexion with this question may be noticed the complaints made before the Commissioners on the subject of the present mode of acquiring the franchise of the town.

 The

LIVERPOOL.

The testimony on this head was diffuse and cogent; it is impossible to do more than advert to the most striking facts adduced. From the evidence of Mr. Thomas Chalmers, surgeon, (printed report, p. 36) it appeared that, although there were upwards of 200 gentlemen engaged in the profession of which he is a member in Liverpool, seven only of them possess the elective franchise as burgesses; and of these, five had their freedom granted by the common council for long services in the charitable institutions of the town; two only having been entitled by birth to their freedom.

The evidence of Mr. John Taylor (same page) is addressed in part to the same object. Mr. Thomas Thornely (p. 37) bore testimony to the strong feeling of dissatisfaction on the part of a great body of the most respectable inhabitants in relation to this question; and complained that, in his own case, although his father had lived upwards of 60 years in Liverpool, and he himself was born in the town, and had carried on business there as a merchant for many years, yet he found himself excluded from participating in the election of those magistrates, who were to administer justice within the borough, and subjected to a tax (in the town dues) from from which many, with far less claims of inhabitancy were exempt.

Mr. William Rathbone, a burgess by birth, from the mere accidental circumstance of his mother's health having required her to reside in Liverpool at the date of his birth, stated this fact has exhibiting the absurdity of the mode of acquiring the franchise under the present constitution of the borough.

Honorary Gifts of Freedom.

Honorary gifts of the freedom have been bestowed occasionally for services performed towards the town; for instance, upon civil engineers, who have promoted great and useful public works; upon the chairman of the infirmary committee; upon the treasurer of the Blue-coat hospital; sometimes for high military achievements, as, to the Duke of Wellington and some of his colleagues in arms.

Sales of Freedom.

Down to the year 1792, the custom seems to have prevailed of selling the freedom of the borough. The gross amount received by the corporation from such sales, in the interval from 1773 to 1792, appears to have been 626*l.* 9*s.* 10*d.* The price varied from 12 guineas to 100; the last entry of such a transaction was in 1792, "By cash from Wm. Lloyd for his freedom, granted to him by Order of Council, 100 guineas." The present town clerk's grandfather purchased his freedom in December 1773, at the price of 12 guineas; on 1st of April 1775, the father of the present Alderman Bourne gave 50 guineas for his freedom.

Freemen, duties, privileges and emoluments of.

Freemen only are summoned to serve on grand and petty juries at quarter sessions for the borough; on the traverse jury at the Court of Passage; at the monthly court on writs of inquiry; and on the coroner's inquests.

Their liability to serve on county juries is a litigated point. They have asserted the right to be exempt, and practically were so until the passing of the recent Jury Act; they were then summoned, and have since served; but proceedings were instituted for the purpose of raising the question in a court of law, and these are still pending.

Exemption from Tolls.

They are exempt from tolls in Waterford, Wexford and Bristol; the freemen of which places, as already shown, are reciprocally exempt from dues at Liverpool, so long as they continue resident in their own respective towns, of which fact they must send a certificate, in order to claim the exemption for their goods or vessels in Liverpool. These exemptions are in practice exercised by all parties. But incomparably the most important privilege of the freemen of Liverpool is their exemption from their own town duties, which have been fully commented upon already.

They exclusively elect the mayor and two bailiffs, and are eligible to the common council of the borough.

They are, in some instances of charitable endowments, preferred as objects of the corporation patronage; but in none have they any claim to be exclusively selected.

Numbers of Freemen.

From the register made under the Reform Act, the numbers of resident freemen in 1833 appear to have been 3,733; no more exact estimate of the total numbers, resident and non resident, could be given, than that they were supposed to amount to somewhere about 5,000.

Fees on Admission.

VI.—The expenses payable on admission to freedom, are,—

		£.	s.	d.
By birth and servitude, stamp		1	–	–
Fees	Serjeant-at-mace	–	2	–
	Deputy water-bailiff	–	1	–
	Town clerk	–	17	–
Total £.		2	–	–

The fee of the town clerk is payable for his examination into the validity of the claim.

On admission by gift from the common council the same fees are payable, the stamp duty being 3*l.* The whole expenses, however, on such admissions are uniformly discharged out of the funds of the corporation. The same observations apply to admissions by gift from the mayor.

No fees whatever are payable upon admission to any corporate office.

The

VII.—The only Criminal Court now held in Liverpool is that of the Quarter Sessions; in which the proceedings of the ancient court leet and portmote court are entirely merged. The style of those courts is still retained in entitling the proceedings of the quarter sessions; but no other trace of them remain. Courts, Criminal. Quarter Ssssions.

The mayor is the presiding officer, assisted by the recorder. Four or five borough magistrates generally attend.

The charter contains no non-intromittant clause; and the county justices sometimes appear on the bench, but they are not recognized, on the minutes of the court, as forming part of it.

There is no peculiarity in the process of the court.

An order made the 26th March 1799, by the judge of assize (Sir Alexander Thompson), confirms a table of fees approved by the justices in quarter sessions, and regulates the costs now taken at those sessions.

The expenses of each prosecution, taken upon an average of seven years, amount to 7*l.* 15*s.* The number of prisoners committed and tried during that period was 4,136, averaging 591 yearly. The sessions have been attended by counsel for about 20 years. Petty sessions are also held daily by the borough magistrates. Petty Sessions.

The chief civil court is styled the Court of Passage. The proceedings and practice of this court have been materially amended since the inquiry at Liverpool, by an Act of Parliament which received the royal assent on the 30th July 1834. Formerly the mayor and bailiffs were the presiding officers, the mayor and one of the bailiffs at least attending, and on the trial of causes the recorder also uniformly attended; but by the recent Act, the court may be held before the mayor and one bailiff, or before the mayor alone, or before the two bailiffs only, and provision is made for the appointment of a barrister at law of not less than seven years' standing, to be assistant to the said mayor and bailiffs, upon the trial of all causes, and hearing of all special arguments in the said court. Courts, Civil of Passage.

The court was formerly held once in every week by adjournment; but only four times a year, viz., at the Quarter Sessions, for trial of causes. Under the provisions of the late Act, however, it is intended to have six courts in the year for trial of causes, beside the monthly court for inquiries of damages.

Actions to recover damages to any amount, where the cause of action has arisen within the jurisdiction of the borough, may be brought in this court. And all personal actions are within its jurisdiction, but not ejectments.

An ineffectual attempt was made to introduce a clause into the late Act to enable the court to try ejectments, and to take away the *certiorari* in such cases where the rent sued for was 12*l.* and under.

It was, however, provided that all causes (other than those concerning the inheritance or freehold or title to land, and except actions of ejectment, which are still not triable here) shall be irremoveable, where the debt, damages, or value of the thing demanded do not amount to 20*l.*, unless by writ of error or under 19 Geo. III.

The number of actions brought in the seven years preceding November 1833 was 1,603; the number of causes tried was 498.

The court is regularly attended by counsel. The monthly average of writs of inquiry executed is under four.

The process is by plaint, and is bailable or serviceable. A code of rules for the regulation of the practice of the court has been introduced with a view to accommodate the practice, as nearly as may be, to that of the courts at Westminster.

A table of the fees taken in this court is appended to the Book of Practice, a copy of which is furnished with my report.

The costs of a trial, assuming that there were three witnesses, a brief of four sheets and 2*l.* 2*s.* paid as counsel's fee, would amount to 10*l.* 3*s.* 10*d.*; the costs upon a judgment by default, 4*l.* 0*s.* 2*d.*; the costs upon serviceable process, 1*l.* 5*s.*; and the costs upon bailable process, 1*l.* 15*s.*

Large sums are occasionally sued for; and although the recent Act has introduced some salutary alterations in its practice, it is represented that the court might be safely rendered still more efficient by a further extension of its powers.

It was also stated that the attendance of very good special juries might readily be obtained.

The corporation furnish, at their own expense, all the accommodation for holding this court; and had tendered the same for the use of the county courts, in the event of the assizes being held in future partially at Liverpool, a measure which has since been resolved upon.

The Act for the establishment of the Liverpool Court of Requests is the 25 Geo. II. c. 43. Court of Requests.

By this, the commissioners consist of the recorder, two of the aldermen, four of the common council, and ten inhabitants, and are appointed monthly by the common council. The commissioners, or any three of them, are to hold a court once a week, or oftener; but there is no quorum clause in the Act; and in fact the recorder has never attended; the aldermen and common councilmen rarely.

There are two clerks, also appointed by the common council, to hold the office during good behaviour. They are remunerated by fees, regulated by the Act, the proceeds of which, about 20 years ago, amounted to about 300*l.* a year for each clerk, but have since increased to double that sum.

It is the duty of the clerks to examine the parties and witnesses; of the commissioners to decide upon the evidence. The court is held every Monday and Wednesday, and the number of causes disposed of is very great. From the 12th February 1830 to the 12th of February

LIVERPOOL.

1831, the number of suits instituted was 21,334; the number of executions against the body, 2,834; the total amount for which executions issued, 5,013*l.* 2*s.* The expense of first process and service is 8*d.*; and the average amount in that year of the costs in each suit, on final judgment and execution, was 4*s.* 10*d.* Some complaints of the actual working of the court were made, but they were not supported by any very satisfactory evidence; nor did it appear that complaint had been made to the common council, in whom the power to amove the officers of the court is lodged.

On the other hand, a strong desire was expressed in many quarters that the jurisdiction of the court should be extended to the recovery of debts to the amount of 5*l.*, and in various other respects. Indeed, a Bill was introduced into the House of Commons some years ago, for the purpose of effecting this object. It passed that House; but its progress was stopped in the Lords, upon an understanding, as was stated, that the Earl of Eldon would bring in a fresh Bill on the subject, which, however, was never done.

Petition from Guardian Society.

A petition from the Liverpool Guardian Society embodied the views of these parties; and an official letter from the chairman of that society contains so many sensible and useful suggestions as to the proposed extension of the powers both of this court and of the Court of Passage, that it is thought proper to subjoin it.

"To the Commissioners appointed under the Municipal Commission for England.

"Gentlemen,

"THE Liverpool Guardian Society, which consists of about 400 tradesmen, being deeply interested in the promoting of a judicious plan for the cheap and speedy recovery of small debts in this town and its immediate neighbourhood, has requested me as their chairman to bring under your notice the courts for the recovery of debts now existing in the town of Liverpool, and to point out such alterations and modifications as in the opinion of the society would render them more efficient and more suitable for this trading community. In undertaking this task I have great satisfaction in stating that the alterations I have to propose would not lead to the abolition of any existing court, or to the creation of any new one, and that if the whole of these alterations should be carried into effect no person will require compensation for rights incroached upon, as the plan itself adequately protects the interests of those individuals who might be affected by the change.

"There is a Court of Record, holding pleas to any amount where the cause of action arises within the jurisdiction of the borough. This court is called the Court of Pleas and Passage, and the mayor and bailiffs, assisted by the recorder, who is a barrister, are the presiding officers. This court has not jurisdiction over Toxteth Park, Edge Hill, Low Hill, Everton and Kirkdale (a large portion of which townships, as containing the suburban population of Liverpool, has been annexed to the borough of Liverpool, in reference to voting under the Reform Act). It would be of great advantage to the tradesmen of this great community if the court had jurisdiction co-extensive with the limits of the new borough; if, too, the court were permitted to entertain cases arising out of the jurisdiction where the defendant brings himself within it, and if the power of removing causes by *certiorari* were taken away altogether as to debts under fifty pounds.

"Liverpool possesses also a Court of Requests, which has exclusive jurisdiction in debt and detinue, assumpsit and case, where the sum of money or other thing shall not amount to or be in value to the sum of 40*s.* Questions of detinue and case are very seldom brought before the court, and such a court is by no means a convenient tribunal for the trial of questions involving the title to property. But, confined to questions of debt, it would be very desirable that the court should have jurisdiction co-extensive with the new borough.

"The alteration, however, which the Guardian Society is most anxious to effect, is the grafting upon the present Court of Requests a Court of Requests with jurisdiction co-extensive with the limits of the new borough, for debts exceeding 40*s.* and not exceeding 5*l.*, with this distinction, that instead of commissioners a barrister should preside in the court, with three tradesmen as a jury. In Manchester a similar court, under the direction of a barrister, has been tried for some time, and has given the greatest satisfaction. It is occasionally a convenience to a creditor, where Courts of Requests exist, and it is no injustice to a debtor, to permit the former to reduce his demand so as to bring it within the amount for which the Court of Requests has jurisdiction; and the Guardian Society wish such a power to be conferred on suitors in the court in question. It may be desirable, also, that there should be a declaratory clause, that a balance of account originally exceeding 5*l.* may be recovered, where the balance does not exceed the limit within which debts are recoverable in the court.

"Such a remodelling of our existing legal institutions would be of greater service to those interested in recovery of small debts in the town and neighbourhood of Liverpool than the projected County Court Act, or any of the plans hitherto suggested for diminishing expense and preventing the delay of legal proceedings. I trust, therefore, that you will be induced to recommend these as salutary alterations.

"I have, &c.

"Liverpool, 6 November 1833." (signed) "PETER HOPE."

JURIES.

Grand Jury.

VIII.—The Juries at quarter sessions are selected by the borough bailiffs. A list of the names of those from whom the Grand Juries are to be selected, is kept in a book alphabetically arranged. The bailiffs exercise their discretion in placing names upon this list.

The rotation is so contrived that it falls on each individual to serve about once in two years. They consist of merchants and considerable tradespeople.

It is the practice to appoint any newly elected common councilman to be foreman of the grand jury; whence it has arisen that, in a majority of instances, the foreman has been a member of that body: probably from a feeling of jealousy, the grand jury, about five years ago, claimed and exercised the privilege of nominating their own foreman, and selected one who was not of the common council.

Petty Juries.

The Petty Jury book is kept in precisely the same mode as that of the grand jury.

From the increase in their numbers, and greater regularity in keeping the books, each individual has now to serve only once in three years.

In

LIVERPOOL.

In practice none but freemen are summoned to serve on either jury; though no legal origin of this restriction is known to exist within this borough.

The character of the juries for impartiality and intelligence has not been questioned in any case hitherto brought under their cognizance; nor does it appear that the selection of jurymen has heretofore been made with reference to their political principles. But the feeling was expressed in some quarters, that the present system afforded no security against such mal-practices.

Coroner's Jury.

The bailiffs as Coroners, select also their own jury. In cases of any extraordinary nature, merchants and others qualified to serve on special juries, are summoned: but in all common cases, the beadle summons the same body of old men, who have habitually served the office for the sake of the fee of one shilling.

Juries in Civil Cases.

The juries in civil cases and upon writs of inquiry, are impannelled in a similar manner to the petty juries.

Local Police.

IX.—The Police is entirely under the management of the corporation.

Under an Act of Parliament 21 Geo. II. c. 24., amended by 28 Geo. III. c. 13, intituled, "An Act for enlarging and varying some of the powers contained in certain Acts of Parliament relating to the watching, lighting and cleansing the streets and other places within the town of Liverpool, and for removing and preventing nuisances and annoyances therein," all the aldermen are made commissioners of the watch, together with 18 other inhabitants. These commissioners appoint their law clerk and the officers of the establishment. The clerk has a fixed salary of 75 guineas a year, and certain fees, which appear to amount to about 200 *l.* additional, besides the emoluments he derives from prosecutions, which it falls to him in that character to conduct.

The whole force of the watch, consisting of about 130, is under the appointment and regulation of the commissioners.

The superintendant, who has the control of the whole establishment, receives a fixed salary of 210 *l.* a year.

The town is divided into 16 districts, for each of which there is a captain of the police, with a salary of 28 *s.* per week. The watchmen have 18 *s.* per week, from which 1 *s.* is deducted for a supply of clothing to them.

The treasurer derives no emolument from his office, but his clerk has a salary of 140 *l.* a year, and the assistant 60 *l.* a year. These give security to the board of commissioners.

There is a power under the Acts to levy rates to the amount of 1 *s.* in the pound, but they have never exceeded 11 *d.*, and the present rate is 9 *d.*

The total amount raised in the year 1832–3, was about 20,500 *l.*, leaving a balance of 785 *l.* in the hands of the treasurer.

There is also another local Act of Parliament, 11 Geo. IV. c. 15, for the better paving and sewerage of the town, under which is constituted a new board of commissioners, nine of whom are to be members of the council, and 15 other inhabitants. These commissioners have no emoluments whatever, but appoint a clerk. Previous to the passing of this Act the corporation had borne the expense of paving what were considered the ancient streets of the town; but disputes having arisen respecting the extent of such liability, it was provided by s. 76. of the Act, that the corporation should expend annually the sum of 5,000 *l.* for carrying on the several purposes of the Act; and the further sum of 750 *l.* annually, for 10 years, to be applied to sewerage only.

Constabulary Force.

Independently of the establishment under these Acts, there is a Constabulary Force appointed and paid by the corporation, consisting of 53 persons, including the keeper of the Sessions House and keeper of the Bridewell.

There are nine head constables; one for the landing places (the water bailiff), and eight for each of the districts into which the town is divided for this purpose. A table shows their rates of wages, places of residence, &c. The average expense of this establishment, for the seven years preceding November 1833, was 5,826 *l.* per annum.

Dock Police.

The Dock Police Force will come under consideration in the separate Report upon the Dock Estate.

Superannuation Fund.

By a resolution of the common council, dated 2d November 1832, the constables are bound to deposit a portion of their weekly wages (at certain rates proportionate to the age of the contributors), as a Superannuation Fund. In the first year after it came into operation, it produced 412 *l.* 5 *s.* 10 *d.*

With the occasional appointment of special constables, this force has been found perfectly adequate to the preservation of the peace of the town. The old system of constabulary force has been hitherto retained; and the inhabitants consider themselves a very well protected community.

Toxteth Park Police.

With respect, however, to the adjoining district of Toxteth Park, comprising a population of 25,000 persons, and now united with Liverpool for election purposes, the most serious complaints were urged as to the inefficiency of the police. They have only four constables; no select vestry; no regulations for watching, lighting or paving the streets; no Court of Requests; their district has become the resort of the worst ruffians of Liverpool, and their state was described as amounting almost to one of impunity for crime.

Ineffectual attempts have been made to establish, in the first instance, a select vestry; and afterwards to procure a general Act of Parliament to remedy the grievance. The borough

LIVERPOOL.

magistrates of Liverpool lent a cordial co-operation to the endeavour to promote this scheme, which is represented to have failed solely from the opposition of the parish officers and the bulk of the inhabitants of the adjacent townships, who out-voted in vestry, with their under-tenants, the more substantial householders.

The result of the very respectable testimony offered on this point was, that it is highly desirable that the police regulations of Liverpool should be extended to the whole of the new Parliamentary Borough, which should participate also in the benefit of the Liverpool Court of Requests.

GAOLS.

X.—The places of confinement for prisoners are, the Borough Gaol, the Bridewell, and three Lock-up Houses.

The Borough Gaol was built about the year 1783, at a cost to the corporation of 67,348 *l.* Part of the site of the old gaol, then pulled down, and its materials, were sold.

The average cost of the establishment, including repairs, for the seven years preceding 1833, was 2,410 *l.* 1 *s.* 9 *d.* yearly.

The gaol has been found larger than requisite for the destined purposes; and has been, at different times, partially applied otherwise. Thus in 1794, 1800 and 1801, it was let to Government for prisoners of war, at a rent of 800 *l.* a year; and more recently, when the cholera was prevalent in the county gaol at Kirkdale, it was used, rent-free, by the county for six weeks.

The Borough Gaol is used mostly for prisoners confined on charges of misdemeanor, and for debtors; the corporation exercises largely the right to commit to the county prison, upon convictions for felonies; as there is no tread-mill, the hard labour inflicted (whenever it forms part of the sentence), is picking oakum. The salaries and emoluments of the governor, turnkeys and watchman have been already stated.

The chaplain of the gaol has a salary of 105 *l.* He is a graduate of one of the universities, unconnected with the corporation. Service twice on Sunday, and prayers one day in the week, are performed. He keeps a journal, which is laid before the magistrates at sessions.

The magistrates visit the gaol periodically, and enter their visitations in a journal. A code of rules, orders and regulations, drawn up by the borough justices on the 28th of August 1827, received the sanction of the judges of assize on the 21st of May 1828.

The surgeon has a salary of 63 *l.* He does not furnish the medicines. The charge for them, in the year previous to November 1833, was 43 *l.* 3 *s.* 11 *d.* The total expenditure of the establishment in that year was very near 2,600 *l.*; of which 550 *l.* was for the debtors.

Bridewell.

The salaries paid at the Bridewell are—

To the keeper - - - - -	£. 91	–	– per annum.
„ Matron (his wife) - - -	13	–	– „
Two Turnkeys and Assistant - - -	130	–	– „

The keeper is found with a house in the Bridewell.

All the prisoners taken to the lock-ups are eventually brought here.

Bridewell of Docks.

There is a separate Bridewell for the Dock Estate, which will be noticed in that Report.

This also is under the superintendence of the borough magistrates.

Lock-ups.

The commissioners under the before-mentioned Acts of Parliament, finding that the nightly police were frequently taken from their districts for long spaces of time, in conveying prisoners to the Bridewell, about fourteen years ago erected three lock-up houses for their temporary confinement.

The land for the purpose was given by the corporation; the buildings were erected out of the rate.

There is a keeper attached to each, with a salary of one guinea weekly, and apartments, coals and candles, free of expense.

To each lock-up a fire-bell is attached, for the purpose of giving alarm to the inhabitants when needed.

On an average, about ten or twelve persons are nightly confined in these houses, and are either bailed, or committed to the Bridewell.

FINES.

XI.—Many instances appear in the records of the corporation of the imposition of Fines on the most trivial occasions in ancient times; but none of recent date for any cause. The latest instance of any assertion of the right to impose fines upon non-freemen for the exercise of their trades without license, appears to have been that which gave rise to the proceedings in the case of Fazakerley, in 1749.

Some discussion has already been had on the subject of "sales of freedom," which pass under the name of fines in the corporation records. The amounts formerly received appear to have been extremely variable: in 1746 and 1747, the amount received was 322 *l.* 18 *s.* 4 *d.*; from 1747 to 1758, nothing was received; in the latter year, 15 *l.* 15 *s.* The amount since taken has already been stated.

PROPERTY.

XII.—The following analysis shows the comparative state of the property of the corporation during the two years ending 18th October 1831 and 18th October 1832. It represents the financial condition of the corporation independently of the Dock Estate, which will fall under consideration in a separate Report.

Dr. CORPORATION BALANCE ACCOUNT, in the MAYORALTY of *Samuel Sandbach*, Esq. *Cr.*

1832			£.	s.	d.	Journ. fol.	£.	s.	d.
October	18	To Balance due to Arthur Heywood, Sons & Co. in Bank Account, brought from last Year's Account	16,573	–	9	– –	33,212	16	9
	„	To Balance due to Leyland & Bullins, in Bank Account, brought from last Year's Account	16,639	16	–				
	„	To Corporation Account for 1831, for Interest in Arrear				136	153	14	–
Ledr fol.	190	„ To Bonds on Interest, paid off				158	400	–	–
	237	„ To General Annuities				158	825	11	4
	238	„ To General Salaries				158	11,834	15	–
	239	„ To Town Clerk				158	1,102	17	4
	240	„ To General, Law and Parliamentary Expenses				158	848	17	4
	243	„ To Officers' Clothes				158	636	8	3
	251	„ To Police Expenses				158	2,264	3	–
	253	„ To Borough Gaol				158	352	4	5
	260	„ To Establishment of the Borough Gaol			Balance	158	2,171	17	3
	263	„ To Town Hall				158	400	2	10
	270	„ To Establishment of the Town Hall				158	1,470	13	9
	284	„ To Streets and Highways				158	2,109	7	–
	285	„ To Rates under the Paving and Sewerage Act				158	6,134	13	9
	291	„ To St. George's Church				158	1,111	8	6
	297	„ To St. Luke's Church				158	2,011	10	–
	300	„ To General Interest Account			Balance	158	34,445	13	8
	310	„ To Subscriptions and Gratuities				158	1,388	15	–
	311	„ To Taxes and Leys				158	6,847	7	10
	322	„ To General Disbursements				158	2,710	14	9
	350	„ To Sessions House				158	218	12	5
	356	„ To Public Works and Gardens				158	499	4	1
	400	„ To Baths				158	1,055	11	9
	433	„ To Black Rock Lighthouse				158	1,488	11	9
	408	„ To Sewers, &c.				158	235	18	7
	410	„ To Estate, North Shore			Balance	158	2,733	14	10
	431	„ To Mayor's Carriage				158	716	8	7
	452	„ To opening and widening Pool Lane			Balance	158	651	–	3
	459	„ To Stock of Wine			Balance	158	347	5	7
	492	„ To Bevington Market				158	26	10	10
	502	„ To opening and widening Trafford Lane				158	175	–	–
	507	„ To Custom House Contingent Expenses				158	278	5	11
	514	„ To Public Free Schools				158	604	7	3
	516	„ To opening and widening James' Street				158	62	18	3
	517	„ To opening and widening Streets (under Act of 1820)				158	1,591	10	1
	521	„ To establishment of the Sessions House				158	479	17	8
	524	„ To St. Martin's Church			Balance	158	608	3	8
	531	„ To opening and widening Streets			Balance	158	5,199	15	8
	538	„ To establishments of St. Luke's Church			Balance	158	349	9	9
	546	„ To General Repairs				159	1,461	–	10
	548	„ To Warehouses, East Side of George's Dock				159	5,444	3	9
	550	„ To Barracks at the Old Lunatic Asylum				159	348	17	7
	552	„ To St. Michael's Church			Balance	159	184	16	5
	554	„ To Moveable Landing Piers				159	317	9	6
	„	To Corporation Account for 1833, for Rent in Arrear				160	924	16	7
	„	To Balance in hand, carried to next Year's Account				– –	41	14	9
						£.	138,478	18	1

1832			Journ. fol.	£.	s.	d.
October	18	By Balance in hands of the Treasurer, brought from last Years' Account	136	329	13	11
	„	By Corporation Account for 1831, for Rent in Arrear	136	303	11	7
Ledr fol.	364 „	By Fines for Leases Balance	159	13,210	11	11
	379 „	By Ground Rents Balance	159	1,132	16	–½
	385 „	By Town Duties Balance	159	35,176	12	6
	388 „	By Anchorage Balance	159	588	16	10
	392 „	By Town Duties, &c. received at Runcorn Balance	159	631	2	9
	396 „	By Weighing Machines Balance	159	102	1	5
	416 „	By Estate, Salthouse Dock Balance	159	2,028	15	6
	419 „	By Estate, Wapping Balance	159	2,113	2	3
	421 „	By Tobacco Warehouse Balance	159	4,633	14	5
	423 „	By Old Tobacco Warehouse Balance	159	254	18	6
	425 „	By Oil House Balance	159	112	9	2
	428 „	By St. James's Market	159	111	–	–
	437 „	By Tenants at Will	159	1,357	5	9
	457 „	By Sales of Land and Premises in Possession	159	1,915	–	–
	497 „	By opening and widening Lord Street Balance	159	224	1	8
	510 „	By Custom House Balance	159	2,258	5	11
	532 „	By opening and widening Dale Street Balance	159	255	4	7
	534 „	By Improvements Balance	159	3,209	16	3
	541 „	By Markets Balance	159	2,930	13	2
	543 „	By Chain Cable Trial Machine Balance	159	137	8	5
	549 „	By Estate, Birkenhead, &c. Balance	159	1,658	6	5
	551 „	By Arrears of Town Duties	159	94	11	11
	553 „	By Establishment of the Baths Balance	159	283	19	8
	555 „	By Graving Docks	159	2,045	3	8
	558 „	By Sales of Ground Rent	159	1,587	15	5
	190 „	By Bonds on Interest received	159	10	2	6
	„	By Corporation Account for 1833, for Interest in Arrear	160	104	7	11½
	„	By Balance due to Arthur Heywood, Sons & Co. in Bank Account, carried to next Year's Account £.29,898 19 6				
	„	By Balance due to Leyland & Bullins in Bank Account, carried to next Year's Account 29,778 8 6				
	„		– –	59,677	8	–
			£.	138,478	18	1

8 Nov. 1833.

(signed) *Thomas Shaw.*
Henry Ashton.

Jn° Deane Case,
Treasurer.

15 E 3

LIVERPOOL.

The particulars respecting the property of the corporation which appear worthy of observation, will be considered under the following heads:—

1. Debt; its amount, origin and mode of creation.
2. Income; its amount and sources.
3. Expenditure; first, generally; and secondly, with reference to some specified objects.

Debt, amount of.

The Debt of the corporation has been from time to time created upon bonds passed under the common seal, to secure to the holders various large sums, advanced for purposes which will be hereafter noticed.

In the year 1827, the amount due on these bonds was 417,921 *l.* 17*s.* 11*d.*; it has now increased to 792,009 *l.* 13*s.* 11*d.*

Much of this sum bears interest at the rate of 4 *l.* per cent., but a part 4 *l.* 10*s.* per cent.; and in one instance, upon a small sum (50 *l.*) on bond to the overseers of Formby poor, interest is paid at the rate of 6 *l.* per cent.

Origin of.

One of the principal objects, for the sake of which the large recent increase of debt has been incurred, was the purchase of certain lands at Birkenhead and Wallasey Pool, which will form the subject of farther comment hereafter. For this alone a sum of nearly 160,000 *l.* was raised upon bond.

Very large sums have also been raised for the purpose of opening and widening streets, and otherwise for the general improvement of the town, exclusive of the building of churches, which will be adverted to under another head.

Upon these improvements, all of which were sanctioned by Act of Parliament, the sum expended from October 1825 to October 1832, amounted to - - £. 442,750 9 -

Averaging annually - - - - - - - - - 63,250 1 3

The amount expended from 1786, being the date of the first improvement Act, down to October 1832, has been - - - - - - - - - £. 645,891 1 11

In some instances a return arises to the corporation upon this expenditure, in the shape of increased rents, &c. But in other cases they have little or no interest in making the improvements, beyond the general well-being of the town. Thus, in Lord-street, where they have expended 159,915 *l.* 18*s.* 5*d.* the corporation possess only a reversionary interest in land, having a frontage of 23 yards on one side, and about 25 yards on the other side of the street. A similar remark applies also to James-street and other streets.

The sums expended by the corporation upon the purchases necessary for effecting these improvements, have in general been settled by arbitration: cases of jury trials to assess the amount of compensation, have been rare.

Mode of creation.

The practise of borrowing money in this mode appears to have been very early adopted by the corporation. The bonds are sought for with avidity. The usual course is to advertize in the newspapers when the corporation wish to raise any money; but applications are constantly made by persons desirous so to invest sums.

In the case of the purchases at Birkenhead and Wallasey Pool, the bond debt contracted was very large, and it was deemed expedient to obtain the advances for periods of seven, ten and fourteen years absolutely, and at the rate of 4 *l.* 10*s.* per cent. A large proportion of the bonds were so given to the vendors of the land, in satisfaction of the purchases; but no bond, now actually liable to be repaid, bears interest at that rate, nor have any been so given since the purchase in question.

The total number of bondholders, and the rates of interest payable in the aggregate, stand as follows:—

THE CORPORATION of LIVERPOOL BOND DEBT on the 18th October 1832, shewing the different Rates of Interest payable thereon, and the proportion at each Rate, held by members of the Common Council.

	£.	s.	d.		£.	s.	d.
Charitable money, at 6 per cent. -	50	-	-				
Charitable money, at 5 per cent. -	49,489	3	8				
To remain during the lives of the parties, at 5 per cent. - -	5,050	-	-				
To remain for 14 years (10 years unexpired) at 4½ per cent. -	10,000	-	-	Held by three common councilmen, as trustees	18,000	-	-
To remain for 10 years (6 years unexpired) at 4½ per cent. -	93,700	-	-	Two common councilmen and others, as trustees	3,000	-	-
To remain for 7 years (3 years unexpired, at 4½ per cent. - -	55,010	-	-				
To remain for 7 years, (3 years unexpired) at 4 per cent. - -	184,064	-	-	Held by Two common councilmen, in their own names -	17,000	-	-
				One common councilman, with others, as trustees,	436	-	-
To remain without limitation of time, at 4 per cent. payable at any time on six months notice -	394,646	10	3	Held by Three common councilmen, in their own names	9,550	-	-
				Three common councilmen, with others, as executors	11,386	13	4
				One common councilman, with others, as trustees	9,000	-	-
TOTAL BOND DEBT - £.	792,009	13	11	TOTAL amount of Bonds held by members of the common council in their own names, and as trustees and executors -	68,372	13	4

22 Nov. 1833.

Jn° Deane Case, Treasurer.

In the amount of bonds held by members of the common council, and stated at 68,372*l.* 13*s.* 4*d.*, is included a large amount held by such members as trustees, and in other representative capacities.

There has been a trifling reduction of 389*l.* 17*s.* 6*d.* in the amount of bonds outstanding in the year 1832.

Income.

In stating the Income and Expenditure of the corporation, the following observations must be understood to apply uniformly (unless where the contrary is stated) to the year ending 18th October 1832.

Leases.

Under the head "Cash received for Sales of Land and Premises in possession," producing a total of 1,915*l.* is comprised the whole amount raised by the granting of leases for terms of 75 years, of premises falling out of lease.

The practice of the corporation in this particular has varied since they became possessed of the ownership of the town. This, it was stated, in the reign of Charles I. was vested in the Crown, as parcel of the duchy of Lancaster; was alienated by that monarch to the citizens of London, and by them sold to Lord Molyneux, an ancestor of the present Earl of Sefton.

Disputes having originated between the corporation and the Molyneux family respecting the ownership of the town (already noticed under the head of Town Duties), they were terminated in the year 1677, by the sale from Lord Sefton to the corporation of the reversion expectant on the determination of the term of 1,000 years, previously granted to them by the Molyneux family.

The earliest entries in the corporation books of the grant of leases for building and improvement, are about the beginning of last century, when they appear to have been uniformly granted for lives.

In 1712, an order of the common council was made, that terms of 21 years should in future be added to the three lives in every lease; and this practice was continued down to 1823 or 1824, when the common council altered the system, and caused the leases to be granted for 75 years, according to the mode still in use.

Covenants, varying according to the circumstances of each property, are inserted in the leases: for prevention of nuisances and crowded buildings; for the preservation of regularity in their plans; for limiting the height of buildings, &c.

If the site is wanted for public improvements, the corporation refuse to renew; otherwise it is done as a matter of course on the usual conditions.

This discretion is exercised by the finance committee, acting under the control of the common council.

Leases for lives are still occasionally, though rarely, granted; as, where there is a covenant to renew on such terms; and in these cases the tables of Morgan are adopted in calculating the fines.

Lands in possession are almost invariably offered by auction for these leases, in the first instance; and the practice of the corporation in granting them is matter of notoriety throughout the town.

Town Duties.

The general questions relating to this source of the corporate revenue have been already largely discussed. It is only necessary here to state the produce of them for the year under consideration.

Credit is given to the corporation for 37,837*l.* 14*s.* 5½*d.* as the gross amount of the town's duties. From this is deducted, under the head "less returns," 1,309*l.* 12*s.* 1*d.*

This arises from the consignees of goods having deposited larger sums to meet the town's duties than requisite, according to their subsequently ascertained value. The other deductions are,—

Thomas Corrie, receiver, commission	£.	945	18 10½
Auditors' salaries		300	— —
Sundry disbursements		105	11 —
Leaving for the net proceeds of town's duties		35,176	12 6

The duties are liable to be levied generally throughout the limits of the port of Liverpool; but Runcorn is the only other place hitherto used within those limits for the regular clearance of vessels. The duties have, however, in fact been levied upon the landing of cattle at different stations within the limits of the port.

Anchorage.

	£.	s.	d.
By cash received for anchorage	603	18	9
Deduct, Thos. Corrie, receiver, commissioner	15	1	11
Net Produce	£. 588	16	10

The anchorage is a charge upon all vessels clearing within the limits of the port.—The sums levied are,—

	£.	s.	d.
Upon each *British* vessel, coastwise	—	1	—
From Foreign or Colonial Ports	—	1	3
Upon each *Foreign* vessel, from whatever port	—	1	6

The right to take anchorage duty is conceived by the corporate officers to attach upon the use of the waters of the port; and vessels which have anchored and reported cargoes, and

LIVERPOOL.

paid the duty, and have afterwards sailed for another port without clearing at Liverpool, have never received back the duty.

In regard to anchorage, there is no exemption in right of freedom, or otherwise.

The title to anchorage as well as to the town's duties, is stated to have been derived to the corporation by purchase from the family of Molyneux, as before mentioned.

Fines on Leases.

By cash received for fines on renewing leases, 13,210*l.* 11*s.* 11*d.*

The terms upon which the corporation grant long leases of lands and houses, *in possession*, have been already stated; the present item is constituted of sums paid as fines on renewal of leases not actually lapsed.

A regular scale of fines, payable on renewal of any lease for 75 years, when any part of the subsisting term is expired, is kept and published by the corporation, and the renewals are uniformly effected accordingly.

The only instance named, in which a lease had been granted or renewed to a private individual, with a covenant for perpetual renewal, was one to the Duke of Bridgewater in 1725, of a piece of ground, for the purpose of constructing the "Duke's Dock."

For public institutions the corporation have occasionally granted lands in fee; thus, the Athenæum is freehold; the Lyceum, conditionally, while it is held for its present purposes; the Jew's burial ground, and some sites of schools and charitable institutions, are held on leases renewable for ever, on payment of small nominal fines.

Sales of Ground Rent.

By cash received for sales of ground rent, 1,587*l.* 15*s.* 5*d.*

Under the old system of granting leases, a ground or chief rent, of 1*s.* per lineal yard of frontage was reserved.

The collection was found difficult and tedious; and, under the new system, a regular charge is made to the lessee for the purchase of this ground rent, at the rate of 16 year's purchase upon the annual rent so reserved.

In process of time, of course, this source of revenue will become extinct.

Ground Rents.

The annual produce of the still subsisting ground rent forms the next item. It amounted in this year to 1,132*l.* 16*s.* 0½*d.*

Seats in Churches.

Three items, to the aggregate amount of about 1,850*l.* appear under the heads of "Rents of seats in St. George's, St. Michael's and St. Luke's churches." The cost of the establishments of these churches will be stated under the heads of Expenditure and Patronage.

In all these churches there are several vacant pews on the hands of the corporation; although the price charged for them, viz. from 17*s.* 6*d.* to a guinea yearly for each seat, seems reasonable enough.

Places of burial in the cemeteries of these churches are sold by the corporation at the rate of 4*l.* each.

Markets.

There are two weekly Markets holden within the town: one by prescription, on Saturday; the other, on Wednesday, under letters patent from Queen Anne, which are recited in an Act of Parliament, 59 Geo. III. c. 9. for abolishing the payment of certain tolls, called Ingates and Outgates, and of certain tolls and stallage payable in the markets and fairs, and for granting other tolls and stallage in lieu thereof; and for the better regulation of the said markets and fairs. A schedule of tolls, made in pursuance of that Act, and a code of rules, orders and bye laws for regulating, ordering and governing the three principal markets of St. John's, St. James's and St. Martin's, enacted at a special council, held 6th August 1831, are sent herewith:

	£.	s.	d.
In 1831–2, the amount received from all the markets was -	7,268	17	4
The amount paid on account of them - - - - -	4,338	4	2
Leaving a net profit of - - - £.	2,930	13	2

	£.	s.	d.
On an average of the seven year's preceding, the receipts were yearly - - - - - - - - - -	6,127	18	1
The payments - - - - - - - - - -	3,346	4	6
Net profit - - - - - £.	2,781	13	7

About three-fourths of these proceeds accrue from the three principal markets; the cost to the corporation of erecting which, was no less a sum than 83,005*l.* 11*s.* 11*d.*

It must, however, be conceded on all hands, that a great public benefit has been conferred in the erection of these spacious and commodious covered market places.

That of St. John's, which comprehends a space of 185 yards by 45, is already found hardly adequate to the wants of that part of the town; and the corporation are contemplating its enlargement.

In St. Martin's a reduction of the tolls has been found expedient; at the other markets, the full statutable tolls continue to be taken.

The collectors pay the receipts over daily to the superintendent, who accounts weekly to the treasurer of the corporation.

The freemen of Liverpool, and the inhabitants of the neighbouring town of Prescott and township of Altcar, pay only half toll; this exemption is recognised by s. 4. of the Act of Parliament

LIVERFOOL.

Parliament before-mentioned, which also abolishes the double toll previously taken during the fairs.

Weighing Machine.

Two Weighing Machines have been erected by the corporation for the use of the public. One very anciently; the other about 10 or 12 years ago. It was stated by the town clerk, that the use of these machines is not regulated by any Act of Parliament, (the stat. 7 Geo. IV. c. 57. s. 40. it is presumed, not applying to them), and that it was a very desirable object, that all machines of this nature should be placed under such regulation.

	£.	s.	d.
The gross produce of these to the corporation in 1831–2, was	337	10	7
The amount paid on account of them, including 100*l.* salary of superintendent	235	9	9
Net produce £.	102	1	5

Oil House.

Cash received for rent of the Oil House, 120*l.*

The oil house was originally used for the accommodation of vessels concerned in the whale fishery. Since the contraction of that traffic, it has been let from year to year at the full annual value, to a tenant unconnected with the corporation.

Graving Docks.

	£.	s.	d.
Cash received for Graving Dock rates	3,183	16	9
Paid on account of ditto	1,138	13	1
Net produce £.	2,045	3	8

The graving docks, now the property of the corporation, are numbered 1, 2, and 3. No. 1, was constructed in 1756. Nos. 2 and 3 in 1765; and they have been from time to time enlarged. Formerly there were five, but the corporation sold two of them, about five years since, to the dock trustees; this sale will form the subject of comment in the Report on the Dock estate.

A regular Table of Rates, fixed by Act of Parliament, payable for the use of these docks, will be found among the documents.

Estate Salt House Dock.

	£.	s.	d.
Cash for rent of sundry yards and premises on this estate	2,215	–	
Paid on account of ditto	186	4	6
Net produce £.	2,028	15	6

Estate Wapping.

	£.	s.	d.
Cash for rent of ditto on this estate	3,335	5	6
Paid on account of ditto	1,222	3	3
Net produce £.	2,113	2	3

Under these heads are comprized the yearly rents of ship-building yards and different premises, in the hands of several tenants. They are held from year to year, subject to three months' notice to quit from the corporation. The expediency of this mode of leasing property applicable to commercial purposes, is obvious.

Tobacco Warehouse.

	£.	s.	d.
Cash received for rent of the Tobacco Warehouse	5,000	–	–
Paid on account of ditto	366	5	7
Net produce £.	4,633	14	5

This warehouse was erected by the corporation for the accommodation of the American trade, and was held by the Government under a lease for 21 years, which was on the point of expiring in November 1833. The corporation had entered into an agreement for renewal of the lease at the rate of 4,000*l.* a year; but required to be allowed 200*l.* a year for keeping the premises in repair; upon which point a difficulty arose in completing the treaty with the Government: the above sum of 366*l.* 5*s.* 7*d.* was entirely expended in such repairs.

The cost to the corporation of erecting this warehouse was 47,269*l.* 4*s.* 11*d.* exclusive of the value of the land (above four statute acres), which is worth about 5*l.* per square yard in that situation.

Old Tobacco Warehouse.

	£.	s.	d.
Cash received for rent of old Tobacco Warehouse	277	10	–
Paid on account of ditto	22	11	6
Net produce £.	254	18	6

LIVERPOOL.

This is now let as a general warehouse to private individuals, from year to year, at a full and fair rent.

Baths.

	£.	s.	d.
Cash received from the Baths - - - - - - -	1,016	17	–
Paid for that establishment - - - - - -	732	17	4
Net produce - - £.	283	19	8

But in addition to the cost of the establishment, various items of expenditure, on account of the baths appear this year, amounting in the whole to 1,055 *l.* 11*s.* 9*d.*

These baths were erected at an expense to the corporation of 32,859 *l.* 5*s.* 7*d.* a sum which, even after allowances have been made for all the stated difficulties of building upon piles, (the foundation having been found to be a quicksand), seems enormous. Nor is this the whole actual cost: for certain complicated machinery for the raising and filtration of the water having been adopted, a constant outlay will necessarily arise, (amounting this year to more than the actual receipts); and the disbursements to Mr. Sylvester, the patentee of the machinery, who, in this department, is now considered the engineer of the corporation, will be continual.

Whatever may conduce to the cleanliness of so populous a town, must be highly valuable; but under a more prudent administration of their funds, it might reasonably be expected that the same benefit would have been acquired at a much more easy rate.

Improvements.

	£.	s.	d.
Cash received for rent and improvements - - - -	4,699	8	–
Paid on account of ditto - - - - - -	509	13	8
Net produce - - - £.	4,189	14	4

Under this head are comprized a variety of properties, let on improving leases, partly to joint-stock or incorporated companies, partly to private individuals, who have undertaken to lay out money on the premises.

Chain Cable Trial Machine.

	£.	s.	d.
Cash received from Chain Cable Trial Machine - - -	529	14	1
Paid on account of same - - - - - -	392	5	8
Net produce - - £.	137	8	5

This machine was erected about four years ago, at the expense of the corporation, on application from the merchants of Liverpool, at a cost of 2,098*l.*; the machinery is worked by the hand; and there is an item of annual charge for labourer's wages, amounting to 251 *l.* 12*s.*, besides the superintendant's salary of 105 *l.*

Cash received on account of Estate Birkenhead—

Birkenhead Estate.

	£.	s.	d.
For rates collected at the Patent Slip - - - -	308	11	10
For rent of land and premises - - - - - -	1,888	10	–
	2,197	1	10
Cash paid on account of same - - - - - -	538	15	5
Net produce - - - £.	1,658	6	5

The purchase of this estate by the corporation, will come under discussion hereafter. The patent slip, for drawing up vessels for the purposes of repair, was also purchased by the corporation, and is now let by them at 200 *l.* a year to a tenant, who bears all the expenses of superintendance.

Tenants-at-Will.

Cash received for rent from tenants at will, 1,357 *l.* 5*s.* 9*d.*

Under this head are comprized all the occupiers of houses which, having fallen out of lease, are reserved by the corporation for projected improvements; the leases not being renewed, in order to enable them to effect such improvements at their convenience.

These are the principal sources of income of the corporation of Liverpool; and it is only justice to state that, in the means taken for rendering their property productive, the corporation appear to have shewn very much of the same vigilance by which so many individuals among the mercantile population of their town have risen to wealth and distinction. Their leases have been granted on an uniform and fair scale; and only two of their numerous tenants are members of the council; the town clerk, and Mr. Ewart, who (the latter in conjunction with his partners) hold offices in Exchange Alley, under the corporation; nor, in these instances, was any partiality imputed.

It is to be regretted, that the same favourble report cannot invariably be made as to the mode in which the corporation have invested and expended their funds.

Disbursements. Interest.

"To general interest account, for interest due and payable previous to this day," 34,445 *l.* 13*s.* 8*d.*

This

This item comprehends both the interest on the bond debt of the corporation, and that payable in the course of the current year to their bankers, for advances made to meet the exigencies of the corporation.

Upon such advances the bankers are paid interest at the rate of three-and-a-half per cent., and one quarter per cent. commission, which is entered under the head "general disbursements."

It appears from the corporation accounts that, on the 18th October 1832, there was a

Balance due to A. Heywood & Co. in bank accounts of	£.	29,898	19 6
„ „ to Leyland & Bullins		29,778	8 6
Total	£.	59,677	8 –

In the year ending 18th October 1827, these balances appear to have amounted to 89,380*l.* 1*s.* 4*d.*

It was not imputed that the rate of interest was at all higher than is usually charged by bankers on accounts heavily overdrawn; but the sums thus paid for interest form a very serious item of expenditure; and it is to be remarked that the head of the firm of Leyland & Bullins, Mr. Richard Leyland, is an alderman of the corporation; and that Mr. S. Thompson, a common councilman, is a member of the other firm of A. Heywood & Co.

And it must also be observed, that the corporation, as trustees of the Dock Estate, appear to have very large balances standing to their credit in account with the same bankers, whilst they are paying interest on the large sums overdrawn by them, as common council of the borough.

Thus, in the "Statement of the Accounts of the Liverpool Docks," there appears to have been in 1832, the following balance, viz.

"In the hands of A. Heywood, Sons, & Co. Bankers	£.	16,441	18 1
In the hands of ditto, for Jackson's Dam, on account		54,587	3 3
Total	£.	71,029	1 4

In 1833, "To balance, viz.:—

"In the hands of A Heywood, Sons & Co., Bankers	£.	40,397	1 4"

Cash paid for Annuities, 825*l.* 11*s.* 4*d.* — Annuities.

The practice of raising money by way of annuity, has been discontinued by the corporation for a period of about 20 years, with the exception of a single instance about four years ago, in which it was adopted from motives of charity, towards the sexton of one of the corporation churches.

All the most important salaries and stipends have been stated in treating of the corporate officers. The aggregate amount for the year paid under this head, was 9,006*l.* 2*s.* 6*d.* — Salaries and Stipends.

The annual payments to the rectors, ministers, curates and other functionaries of the corporation churches, amount to 2,269*l.* 12*s.* 6*d.*, exclusive of St. George's, St. Michael's and St. Luke's. The ecclesiastical establishments of the corporation will be further noticed under the head of Patronage. — Rectors, &c.

Cash paid the Town Clerk,— — Town Clerk.

	£.	s.	d.
For prosecutions at the assizes	141	15	8
For general business	320	1	8
£.	461	17	4

The common council undertake the prosecution of all offenders committed for trial at the assizes. The county allowance not being considered an adequate remuneration for the town clerk's trouble, and said scarcely to amount to his outlay, his bill for extra charges has been defrayed in equal moieties by the corporation and parish.

Cash paid for general Law and Parliamentary expenses, 848*l.* 17*s.* 4*d.* — Law and Parliamentary Expenses.

In this sum an item is included of 600*l.* 18*s.* 6*d.* for "expenses relative to the Disfranchisement Bill," in consequence of the Report of the Committee of the House of Commons in March 1831, already recited, (p. 24), a Bill was brought in for the general disfranchisement of the freemen.

The foregoing item was for expenses incurred by the common council in the opposition made by them to that measure.

And the next item was incurred on the same account, viz. "For expenses of a deputation to London relative to the Disfranchisement Bill, 108*l.* 14*s.*" — Deputation.

The deputation consisted of three or four members of their own body.

"To cash paid for police expenses, 2,264*l.* 3*s.* 0*d.*" — Police Expenses.

The amount of this head is swelled by the item of 358*l.* 11*s.* 6*d.* for attendance of special constables sworn in at the election in 1831.

"To cash paid for borough gaol establishment, 2,281*l.* 14*s.* 7*d.*" — Borough Gaol.

 Upon

LIVERPOOL.

Upon the appointment of a new chaplain to this establishment, a reduction of the stipend has been effected from 150 to 100 guineas per annum.

"Repairs of borough goal, 352*l.* 4*s.* 5*d.*"

Taxes and Leys.

"To cash paid for taxes and leys, 6,847*l*, 7*s.* 10*d.*"

In the seven years preceding 18th October 1832, the government and local taxes on corporation property amounted to 37,910*l.*, of which 31,337*l.* was paid in respect of poor-rates assessed on the amount of town's duties received; the total amount of the assessed taxes in that period was 623*l.*

Town Hall.

"Cash paid on account of the Town Hall, 400*l.* 2*s.* 10*d.*

"For Establishment of ditto, 1,470*l.* 13*s.* 9*d.*"

These expenses are exclusive of the mayor's salary of 1,200*l.*, and of the payments made on account of the mayor's carriage, which amounted to 716*l.* 8*s.* 7*d.* in this year.

Streets and Highways.

"Cash paid on account of streets and highways, 2,109*l.* 7*s.* 0."

This sum appears to be efficiently applied, and to very salutary purposes.

St. George's Church.

"Cash paid for this establishment, 1,790*l.* 11*s.* 11*d.*"

Under this head are included the several stipends of the officiating ministers, &c., which will be detailed under the title "Patronage;" and an item of 600*l.* "balance for the stained glass window;" this window has cost the corporation 2,000*l.*, including the sum of 1,000*l.* paid to the artist.

St. Michael's Church.

"Cash paid for this establishment, 845*l.* 16*s.* 7*d.*"

St. Luke's Church.

"Cash paid for this establishment, 855*l.* 14*s.* 3*d.*"

This is exclusive of a sum paid for work done this year at the same church, amounting to 2,011*l.* 10*s.*

The patronage of these churches also will be noticed in the proper place hereafter.

George's Dock.

"Cash paid on account of taking down and rebuilding the front of warehouses, east side of George's dock, viz. 5,444*l.* 3*s.*"

These buildings were erected on stone arcades about the year 1805, and, either from the state of the foundation or defective construction, were found to be in a dangerous state, and were taken down and rebuilt by the corporation, who, though reversioners only, took upon themselves the cost, paying the several tenants for loss of rent and expenses of removal, a sum amounting altogether to 1,193*l.* 10*s.* 9*d.*

Subscriptions and Gratuities.

"Cash paid subscriptions and gratuities, 1,388*l.* 15*s.*"

This is composed of annual subscriptions to the infirmary, dispensaries and other public institutions within the borough, and of superannuated allowances to constables and other officers of their establishments, and their widows.

The total amount of such disbursements during the seven years preceding 18th October 1832, was 12,752*l.* 9*s.* 9*d.*, averaging above 1,821*l.* per annum.

Free Schools.

"Cash paid for establishment of Public Free Schools, 604*l.* 7*s.* 3*d.*"

In the reign of Elizabeth a grant of 5*l.* 13*s.* 3*d.* yearly, was made out of the revenues of the duchy, to the mayor and burgesses of Liverpool, for the maintenance of a master of the free-school, which was received so long as that school continued; the last master was Mr. J. Baines, who died in 1803.* The school, which was very small, was then discontinued, and in 1825 the present free schools, called the North and South Corporation Schools were built, at an expense to the corporation of 19,933*l.* The land also was given by them, and the establishment costs them annually about 600*l.*

The regulations will be noticed hereafter under the head of "Schools."

Public Walks and Gardens.

"Cash paid on account of Public Walks and Gardens, 449*l.* 4*s.* 1*d.*"

In the seven years preceding 18th October 1832, the expenditure on this head was 4,669*l.* 11*s.* 1*d.*, averaging 667*l.* yearly.

Barracks.

"Cash paid on account of Barracks at the old Lunatic Asylum, 348*l.* 17*s.* 1*d.*"

On the occasion of the "strike" of the colliers in 1831, the corporation applied for troops to the Government, who refused to furnish them unless the corporation would find quarters. The old lunatic asylum was accordingly converted, and is still applied to that use. The new asylum is at the infirmary.

General Disbursements.

"Cash paid for general disbursements, 2,710*l.* 14*s.* 9*d.*"

The following are the principal items that constitute this head of expenditure:—

	£.	s.	d.
Town clerk, for stamps and preparing leases	431	1	1
Premium of insurance against fire	410	4	3
Commission, stamps, &c., bank accounts	179	16	–
William Wainwright, secretary to the borough members in London, for his services	100	–	–
The recorder, for attending as counsel to the returning officers at the election	210	–	–
Proportion of expense of erecting hustings	193	12	7
Stationery, printing, &c.	273	8	–
Expenses on the quarantine service (on account of the cholera)	180	–	–
Receipt stamps	200	–	–

"Cash

* *See* the Report of the Commissioners for inquiring concerning Charities, County Lancaster, p. 90.

" Cash paid on account of it, 1,488*l.* 11*s.* 9*d.*" LIVERPOOL. Black Rock Light-house.

This most useful work has been erected by the corporation, at an expense of 30,212*l.*, in lieu of an ancient wooden perch or beacon, which stood on the rock till 1826, when the light-house was founded. It was completed in 1830. The wages of attendants and the lighting of this, as well as of the other lighthouses of the port, are defrayed by the dock estate; but the costs of providing and maintaining the machinery, oil, &c., by the corporation.

" Cash paid on account of these, 317*l.* 9*s.* 6*d.*" Moveable Landing Piers.

The public benefit conferred by the construction of these works also cannot be disputed: they are a contrivance for landing passengers at different stations along the quays when the tide was out; it was formerly necessary to land them on the muddy beach. They cost the corporation about 25,000*l.*, and no toll is taken, nor any return yielded by them in any shape.

" Cash paid on account of improvements, with balance of alterations of Chester basin, 4,186*l.* 1*s.* 5*d.*" Improvements.

In this item is included one of the contingent heads of emolument of the town clerk, viz.:— Town Clerk's contingent Charges.

" Town clerk, for business done under the directions of the improvement committee, 55*l.* 18*s.* 2*d.*"

" Cash paid on account of new Custom House, 27,163*l.* 17*s.* 6*d.*" New Custom-House.

The terms upon which this great work is proceeding have been already stated, under the head of the "Surveyor's Emoluments." In the sum now under consideration an item is found of " 1,094*l.* 12*s.* 2*d.*, John Foster, architect, commission;" and another of " 136*l.* 10*s.* 0*d.*, E. Argent, clerk of the work's wages." His appointment is made by the surveyor.

" Cash paid for Custom House contingent expenses, 278*l.* 5*s.* 11*d.*" Ditto, contingent Expenses.

The principal item is for " expenses of a deputation to London, 133*l.* 11*s.* 0*d.*"

A deputation to London in the same year, for opposing the Disfranchisement Bill, has been already noticed, under the head of " Law and Parliamentary Expenses." That cost 108*l.* 14*s.* 0*d.* This more expensive deputation, on account of the new Custom House, was stated to have been set in motion from some difficulty in obtaining advances of money from the Government on the change of administration.

" Cash paid for opening and widening streets, 6,099*l.* 15*s.* 8*d.*" Opening and widening Streets.

The whole of the items constituting the expenditure for this useful purpose were incurred under the sanction of various Acts of Parliament authorizing the different lines of improvement, with the exception of a trifling item of 216*l.*

These are all the items in the corporation accounts for the year ending 18th October 1832 that it is necessary particularly to notice; some more general comments will be added in the sequel. The following details were furnished by the town clerk on the general head of expenditure, and are set forth with others in a document sent herewith:— Seven years' Expenditure on different Heads.

	£.	s.	d.	
The Expenditure for seven years in paving and repairing streets, sewerage, &c. had been	52,556	–	–	
Making an average of	7,500	–	–	yearly.
The salaries of corporation officers for seven years	40,994	–	–	
Average	5,856	–	–	yearly.
The stipends of their clergy for seven years	14,836	–	–	
Average	2,120	–	–	yearly.

This relates to those clergy only who officiate at churches from which the corporation derive no income whatever.

Those clergymen who officiate at churches from which the corporation derive some income receive from them stipends, amounting in the whole to the additional yearly sum of 4,395*l.*

The total expenditure in mayor's allowances, Town-hall, and other public buildings, for seven years, was:— £. 27,688 – –

Average 3,955 – – yearly,

of which about 1,000*l.* goes to servants, messengers, &c.

The Income of the corporation (exclusive of the Dock estate) for seven years, was:— Seven years' Income.

	£.	s.	d.	
	674,157	13	3	
Average	96,308	4	9	yearly.

The attention of the commissioners was also drawn by the town clerk to the following current or incidental disbursements:— Sundry current Disbursements.

	£.	s.	d.
The fort on the north shore cost	4,578	17	8
Other defences, from 1791 to 1818	3,090	11	1
Board of trade, from 1775 to 1797	11,149	15	11
Bounties to seamen, ditto	2,998	17	6
Volunteers in 1778-9	2,951	18	4
Resistance, by litigation, of encroachments on the Mersey	13,324	4	5
For surveys of the Mersey	8,925	–	–

LIVERPOOL.

Mode of keeping and publication of Accounts.

The accounts of the corporation are kept with a punctuality, clearness and regularity worthy of their magnitude and importance: a little more minuteness of detail might be desirable in the printed statements.

Soon after the appointment of the present treasurer the mode of keeping the accounts became a subject of discussion with the common council, who resolved to have the assistance of an experienced accountant, Mr. Bartholomew Prescot.

He made a report, on which the present mode of keeping the accounts was adopted. From that investigation Mr. John Ludlow, the treasurer's clerk, was enabled to compile a book, called the Balance Ledger, showing at one view the total cost of any work of the corporation for a period of above fifty years.

The accounts are annually printed and published by order of the common council, and are distributed at the treasurer's office.

Before publication they are minutely examined and produced before a committee of the common council called the Audit Committee. This examination and audit have taken place from the earliest period of the corporation records. The report of that committee having been produced and read in council, a resolution is passed for the printing of the accounts. The practice of printing, however, has only subsisted since 1815, when, during the mayoralty of Mr. Leyland, an order was made by the council for printing and publishing the corporation accounts, commencing from the year 1797. The copies are distributed not merely to freemen, but to any respectable inhabitant applying for them.

No application has ever been made for an inspection of the accounts of the corporation, with a view to obtain more minute and detailed information than the printed statements furnish, nor would it be conceded to any one without an order from the council.

Complaints respecting Expenditure of Corporation.

The main grounds of complaint respecting the mode of expenditure of the income of the corporation are summed up in a document handed to the commissioners and verified by Mr. Bolton. It exhibits, first, the proportion of the corporate income directly contributed by the merchants in the shape of town's dues; and then specifies the particulars complained of in the expenditure, with the grounds of complaint, as follows:—

"Income of the Corporation of Liverpool from rents, fines, renewing leases, markets, graving docks, baths, anchorage, &c. for the year ending 18th October 1832 - - - 51,706*l.*
Town Dues for the year ending 18th October 1831, at Liverpool 48,104*l.*, Runcorn 592*l.* £. 48,696
Ditto, year ending 18th October 1832, 36,528*l.*, Runcorn 711*l.* - - - - - 37,239
85,935
To which add, paid to Mr. Heywood, Sons & Co., bankers, for town dues, from the beginning of June 1831 to 18th October 1832, on account of sundry merchants, under an order of the Court of King's Bench, to wait the result of the action against Bolton Ogden & Co. £. 19,663
Claims on B. O. & Co. from the 22d May 1830 to 18th October 1832, for town dues - 2,038
£. 107,636

being an average for these two years of 53,818*l.*

The grants, salaries, wages and annuities to the officers of the corporation, superintendants and clerks of markets, graving-docks, baths, &c. 19,556*l.*
Stipends and salaries paid to the clergy - - - - - - - £. 4,488
Appointment of rectors - - - - - - - - - - - 720
5,208

To this patronage may be added the influence derived from the selection of tradesmen in building churches, markets, baths, &c.

Expended in ten years in building and repairing churches, and in stipends &c. to the ministers, £.122,321
The income from which, in the same period, for pew rents, sale of graves, &c. has been about £.12,000
In building St. Luke's church in ten years, only part of the cost 45,492*l.*
In repairs of St. George's church and steeple, from 1819-20 to 1827-8, nine years, £. 25,998
Expenditure more than income since October 1829 to October 1832 - - - 2,920
28,918
Building two schools, church pews, salaries for eight years, 17,193*l.*
In law charges for ten years, exclusive of the salaries of the recorder and town clerk, 59,039*l.*
Since 1827 there have been expended in the purchase of lands, &c. at Wallasey Pool and Birkenhead, 177,361*l.*
The net income from which, last year, was 1,658*l.*
Subscribed for the monument to the memory of the late Mr. Canning, 500*l.*
Ditto for one to Mr. Huskisson, 500*l.*
Nothing to one for Mr. Roscoe, the most distinguished man the town can boast of.
Five shares in the King's College, 500*l.*
None in the London University, a liberal college.
The bonded debt in 1823 was 469,489*l.*
On the 18th October 1832 it was 792,009*l.*
Not one shilling of the expenditure comes out of the pockets of the common councilmen or burgesses.
The expenditure for religious purposes is exclusively for the benefit of the established sect; and the other appointments are exclusively, or nearly so, to Tories or Conservatives.

"I have

"I have looked very carefully over the published accounts for the last ten years, and although the Dissenters of all denominations are more numerous than churchmen, and although many of the burgesses are also dissenters, I do not find that any sum whatever has been given from the corporate funds for the execution or repairs of their places of worship, the support of their ministers, or the maintenance of their schools, by which it would appear to be thought that the corporate property belongs exclusively to the church establishment, and not to the whole community.

"Several of the Dissenters' chapels and schools are built on corporation leases, paying the usual ground rent, which leases are renewed at their expiration on the payment of a nominal fine."

(signed by Mr. Bolton.)

Wallasay Pool Purchases.

Some transactions, however, relating to the expenditure of the corporate income require more particular animadversion. That which occupied the most attention in this inquiry related to a large investment made by the corporation in the purchase of lands at Wallasay Pool and elsewhere, in the vicinity of Birkenhead, on the Cheshire shore, opposite to Liverpool, reference to which in the corporation accounts is made under the head "Estate, Birkenhead."

The necessity for minute inquiry into this affair will be admitted, when it is found that the general result of the transaction (as appears from the entry in the corporation books of 19th November 1828), was the investment of 157,925*l.* 2*s.* 4*d.* in the purchase of 192A. 1R. 16P. of land, the money for which was all borrowed, and this at a time when there was a balance due from the corporation to their bankers of no less a sum than 113,098*l.* 6*s.* 3*d.*. And when it was further stated that this investment had never yielded a clear return to the corporation of more than 1*l.* per cent for their money, whilst the bonds on which the money was raised bear interest at 4½ per cent. for long stipulated terms.

The account given of this transaction by the present town clerk (long before whose appointment however it was brought to a termination) was in substance as follows: For several years previous to 1828 the corporation had been contending with the owners of property on the shores of the Mersey against encroachments made by them in different places, which eminent engineers had pronounced to have an injurious tendency to the port. Various proceedings had been instituted by the corporation, who claimed to be conservators of the navigation; but after much expensive litigation, the last trial, in 1826 or 1827, established that the conservancy of the river under the provisions of the Act (34 Geo. III. c. 37.) relating to the navigation of the Mersey and Irwell, was vested in that navigation company and not in the corporation. Shortly after (in 1828) there was a prevailing opinion, founded on common rumour, that a joint stock company was about to be formed for the purpose of establishing a port at Wallasay Pool to communicate by means of a canal through the low lands with Hoylake, near Hilbree Island, on the estuary of the Dee. Great facilities seemed to favour this plan of a rival port, and all these circumstances conspired to induce the corporation to make purchases of frontage land on the opposite shore.

The mayor of that day (Thomas Colley Porter, esquire) and Mr. Case, the senior member of the council and chairman of the finance committee, considering that the rival port might militate against the interests of the town, undertook on their own responsibility to purchase all the property they could acquire in Wallasay Pool, in order to counteract the scheme.

The proceedings of the common council consequent upon this determination of two of their body are detailed in the minutes of the meetings of that body on the 6th and 13th of August and the 15th of September 1828, and the dates, extent and particulars of the several purchasers are thus set forth in an entry of a special meeting of the select finance committee, held to take into consideration the report upon the subject.

AT a Special Meeting of the Select Finance Committee, held the 19th day of November 1828, to take into consideration the Report relative to the particulars of the several purchases of Land, &c. in Wallasay Pool, and other Business.

Present:

George Case, esquire, Chairman.
John Bourne, esquire, Deputy Chairman.

The Mayor.	Mr. Thomas Littledale.
Mr. P. W. Brancker.	Mr. Thomas C. Porter.
Mr. T. Molyneux.	Mr. William W. Currie.
Sir John Tobin.	Mr. William Statham.
Mr. Peter Bourne.	Mr. Thomas Brancker.

Mr. George Drinkwater.

The town clerk, the surveyor and the clerk of the committees having submitted their report [copied as below] as to the particulars of the purchases of land, &c. in Wallasay Pool, in conformity with the resolution of this committee of the 17th ultimo, from which it appears that the sum of 77,294*l.* 2*s.* 4*d.* will be required to be paid in cash, and that the sum of 80,631*l.* may remain at interest on corporation bonds at 4½ per cent. for seven years.

 Resolved,

LIVERPOOL.

Resolved, That the conveyances of the several properties purchased be completed, and that the treasurer be authorized to raise the above sum of 77,294 *l.* 2 *s.* 4 *d.* on bond, and that bonds be prepared for the sum of 80,631 *l.* in conformity with the agreements with the several parties. The whole amount so to be raised to bear interest at the rate of 4½ per cent. per annum, and to remain for a period of not less than seven years.

COPY OF REPORT.

LAND purchased from.	Date of Contract.	In Statute Acres.	In Square Yards.	Price per Yard.	Amount for Land.	Amount for Buildings, &c.	TOTAL amount of Purchase.	Amount proposed to be taken in Bonds at 4½ p' cent.	Amount required to be paid in Money.
South Side of the Pool:		A. R. P.		*s.* *d.*	£. *s.* *d.*	£. *s.* *d.*	£. *s.* *d.*	£.	£. *s.* *d.*
Sir John Tobin	15 Dec. 1828	83 1 20	403,540	3 –	60,531 – –	– – –	60,531 – –	29,400	31,131 – –
Mr. Wm. Laird	12 Oct. 1828	29 – 16	140,844	3 –	21,126 – –	3,000 – –	24,126 – –	24,126	—
F. R. Price, Esq.		42 3 2	206,970	1 7¾	17,105 – –	– – –	17,105 – –	17,105	—
Tawton & Brassey	1 Nov. 1828	1 1 34	7,035	10 –	3,517 10 –	3,400 – –	6,917 10 –	– –	6,917 10 –
Hetherington & Co.		13 – 10	63,226	3 10½	12,652 7 10	9,457 4 6	22,109 12 4	6,000	16,109 12 4
		169 3 2	821,615	– –	114,931 17 10	15,857 4 6	130,789 2 4	76,631	54,158 2 4
North Side of the Pool:									
William Quirk	12 Oct. 1828	9 2 1	46,010	3 7½	8,400 – –	– – –	8,400 – –	4,000	4,400 – –
John Askew	13 Dec. 1828	13 – 13	63,313	4 6	13,636 – –	5,100 – –	18,736 – –	– –	18,736 – –
		192 1 16	930,958	Average. 2 11¼	136,967 17 10	20,957 4 6	157,925 2 4	80,631	77,294 2 4
Land previously purchased and paid for:									
Wm. Fairhurst and others	28 Aug. 1824	14 1 34	28,428	6 4½	22,339 10 –	– – –	7,107 – –		
Joseph Harrison	15 Dec. 1827		14,071				5,065 17 6		
F. R. Price, Esq.	ditto		840				339 15 –		
Joseph Storey	22 ditto		26,658				9,826 17 6		
		206 3 10	1,000,935	Gen. Av. 3 2½	159,307 7 10	– – –	180,264 12 4		

The Committee, upon their discussion relative to the purchases above-mentioned, having deemed it proper to have a conference with the treasurer, in the course of which he stated that the balance now due to the bankers, amounted to the sum of 113,098 *l.* 6 *s.* 3 *d.*

Resolved,—That it be recommended to the council to authorize the treasurer, with the assistance of this committee, to raise this sum on bond, for the express purpose of paying the debt due to the bankers; the bonds severally to bear interest at 4½ per cent. per annum, and the money to remain for a period not less than seven years.

The Committee having taken into consideration the propriety of directing plans of the proposed Quay line, on the north and south sides of Wallasay Pool, to be prepared, for the purpose of their being deposited with the clerks of the peace for the counties of Lancaster and Chester before the 30th instant, in conformity with the Standing Orders of the Houses of Parliament.

Resolved,—That the requisite plans be prepared, under the direction of Messrs. Walker & Giles; and that the town clerk be directed to deposit the same accordingly.

The purchases were effected with so much privacy, that Mr. Charles Okill, the clerk of the committees, stated that he knew nothing of the terms until after they were completed.

It will be seen that the principal purchase (to the amount of 60,531 *l.* for 83 A. 1 R. 20 P. of land) was from Sir John Tobin, himself a member of the select finance committee.

The history of this particular purchase, according to Sir John's own statement, appears to be as follows:—He had been engaged with Mr. Laird (whose name also appears as a vendor to the corporation to the amount of 24,126 *l.*) in the purchase of lands at Wallasay, with a view to the projected improvements, and they had mutually agreed not to part with their respective properties without each other's consent.

In one of the finance committees, Sir John had suggested to his brethren of the committee, that they would do wisely to purchase lands directly of Mr. Price, (another vendor to the corporation to the amount of 17,105 *l.*, but the date of whose sale is not stated,) instead of buying of others, piecemeal and at second hand. Sir John himself had purchased largely from Price. Subsequently the committee sent for Sir John, and the business was opened to him respecting the purchase of his land and Mr. Laird's. He stated that there would not be much difficulty in clearing the way for this negociation, provided the common council would enter into a solemn engagement not to let the grand project of a port at Wallasay drop. The committee hesitated, and preferred treating without being clogged with such a stipulation. Sir John stated that he was engaged in this scheme with Mr. Laird, and could not now retract,

retract, and appealed to Mr. Case, whether he could desire so old a servant of the corporation to be guilty of any dishonourable transaction, and there the matter rested for the time.

The result of this meeting was communicated by Sir John to Mr. Laird. Sir John was out of town, and therefore not present at the next meeting of the finance committee; but on the following morning Mr. Laird waited upon him, to state that he (who was not an old servant of the corporation) had negociated with them for the sale of his lands, and named the price. Sir John stated, that he then saw it was of no avail for him to hold out, and stand alone, for that the beauty of the scheme was destroyed; that the common council would say, "your partner has sold his share, and you have no ground now to refuse to join in a sale to the corporation," and that much as he regretted what had occurred, he must now assent to the treaty.

The land of Sir John had been purchased about four months, that of Mr. Laird about two years, previous to their joint sale to the corporation. There had been no regular conveyance, but only a written memorandum between them, with a clear understanding that they were bound in honour to each other.

For agricultural purposes, the best land in the vicinity of these purchases is not worth more than 80*l.* or 100*l.* an acre; but there is a rapidly increasing demand for land, for the purpose of erecting houses and other buildings, and a part of the land purchased by the corporation is conveniently situated for the object. Much of it is a mere bed of mud, applicable only at present to brick-making.

Mr. Laird is stated to have been the chief promoter of the scheme for a port at Wallasay Pool, with a canal to Hilbree Island, which Sir John Tobin actively seconded. A report on the project (a copy of which is sent herewith) was prepared by Messrs. Telford, Stevenson and Nimmo. The total estimated cost of the undertaking was 1,400,948*l.* No prospectus, however, was ever published.

It is not very easy to comprehend the plausibility of a plan which, at the cost of a million and a half, was to transfer the trade of Liverpool from the Mersey to the estuary of the Dee, for the mere sake of avoiding some difficulties in the navigation of the mouth of the river, which have been found, at all events, not of sufficient magnitude to arrest the hitherto unrivalled progressive importance of her commercial state; but, giving all latitude to their faith in engineers, the common council might have been placed on their guard by Mr. Laird's abandonment of his cherished scheme, the cause of which remains unexplained to this day; and therefore it is at least not uncharitable to represent the corporation in the character of dupes throughout this transaction.

It is, however, proper to state, that no charge of collusion or corrupt practice was openly made against the corporation in respect of this or any other of their investments; and from entries made in the books of the Dock Committee, of the 19th and 26th August and 28th October 1828, it would seem that the common council themselves seriously entertained at that time the project of forming, under the authority of Parliament, new docks at Wallasay Pool.

Purchases and Sales between Corporation and Members of Council.

The Returns (required by the commissioners and sent herewith) of all purchases by the corporation from, and sales and leases to, members of the common council, present the following result:—

Exclusive of Wallasay investment, there have been ten purchases from members of the council, amounting to 19,854*l.* 5*s.*; and from the 5th of November 1810 to 5th November 1833, out of 2,169 leases granted, 41 only were to members of the council; and of eight freeholds and reversions granted during the same period, three were to members of the council, at prices varying from 5*s.* to 10*l.* per square yard.

Churches.

The sum expended during the last ten years on churches, exclusively of their establishments, was another special ground of complaint against the corporation.

This has amounted to 122,321*l.*, and, like the Wallasay investment, has yielded only a gross income of 1*l.* per cent.

Port-Rates, &c.

It was also made a subject of complaint that a sum of 300*l.* had been paid by the common council for a portrait of one of their own body, Mr. Alderman Case, of whom mention is made above in treating of the Wallasay purchases.

It was stated, in justification of the tribute paid to this gentleman, that he had been 50 years a member of the corporation. His services appear to have placed him almost on a level, in their estimation, with Mr. Canning and Mr. Huskisson, the corporation having voted 500*l.*, in each case, towards the monuments raised to the memory of these statesmen.

King's College.

The patronage bestowed upon King's College, London, in exclusion of other institutions differing from it in the political sentiments of its supporters, and some less notable objections, (as to a subscription to the races, costly furniture, &c.,) closed the list of complaints respecting the expenditure of the corporation.

Patronage, Ecclesiastical.

XIII. By the Act of Parliament before mentioned of 10 & 11 Will. IV. c. 36, dividing the township of Liverpool from the parish of Walton, and making it a distinct parish, the common council are constituted the patrons of the Rectory of Liverpool.

Rectory of Liverpool.

The income of the rectory is augmented and ascertained by the statute 26 Geo. III. c. 15.

First Mediety, St. Peter's Church

It consists of two medieties; the new church of Saint Peter, and the parochial chapelry of St. Nicholas.

The rectors are incorporated under the Act by the name of "The Rectors of the New Church and Parochial Chapelry of Liverpoole."

LIVERPOOL.

The former is held by the Reverend John Brooks, M. A., who succeeded to it in 1829. He had officiated as a clergyman in two churches in Liverpool for 27 years. He is brother-in-law to Mr. Statham, the late town-clerk, and common councilman.

His stipend from the corporation is 350 *l.* a year, and he has a further sum of 360 *l.* by an annual vote of the vestry. His surplice fees, which are authorized by the Act of Parliament, are estimated to bring the annual value of this mediety to about 1,000 *l.*

He has no other preferment or ecclesiastical duty, and resides at Everton within the Parliamentary borough. The duty consists of four services on Sunday, and prayers daily; and it is performed by himself and two curates of the parish. These are paid partly by the parish, partly by the corporation, who allow them 67 *l.* 10 *s.* yearly, in lieu of burial fees.

Second Mediety. St. Nicholas's Chapel.

The second mediety of the Rectory of Liverpool, or the Chapel of St. Nicholas, is held by the Reverend Augustus Campbell, M.A., who was appointed to it on the 4th November 1829, upon the promotion of Mr. Brooks. He married a sister of Mr. Aspinall, now a common councilman,* but who did not become such till two years after Mr. Campbell's appointment. He had previously obtained, under the corporation, a lectureship in St. George's church, for which there were three competitors with him: there were none when he stood for the rectory.

This is commonly styled the Old Church; but the correct description is, the Parochial Chapel of our Lady and St. Nicholas.

The stipends, both from the corporation and vestry, are the same as those of the incumbent of St. Peter's Chapel, and the entire annual value very nearly equal.

Mr. Campbell formerly held the rectory of Wallasay, in Cheshire; but on his appointment to the rectory of Liverpool, he exchanged Wallasay for the vicarage of Childwall, distant about four miles from Liverpool, by permission of the bishop of the diocese. Childwall is a large parish, and the vicarage is supposed to be worth 300 *l.* to 400 *l.* a year; but out of this sum the vicar has to pay a curate and other charges.

Mr. Campbell resides in Everton, within the parliamentary borough, and does the duty occasionally at Childwall.

The duty at St. Nicholas is the same as at St. Peter's chapel. Neither of the predecessors of the present rectors were in any way related to the members of the common council.

The other ecclesiastical patronage of the corporation has been in like manner conferred upon them by various Acts of Parliament for the establishment of churches, which they had either built entirely at their own cost, or contributed materially to found, by gifts of sites or otherwise.

St. George's.

St. George's church was built by the corporation, under the provisions of the statute 1 Geo. I. c. 21. The taking down and rebuilding the steeple was done by them, with other repairs, at a cost (from 1773 to 1832) of 45,000 *l.* The stipend of the principal minister, the Rev. John Boughey Monk, M. A. is 420 *l.*; the church fees are very trifling. Previous to his election in November 1829, he was master of the grammar school of Liverpool; and his father had been a parish curate there for half a century. Duty is performed twice on Sundays, and prayers on saint's days.

The town is divided into districts, for the purpose of visiting the sick; and Mr. Monk, of course, has his district.

A second clergyman is appointed by the corporation to St. George's church, with a stipend of 315 *l.* a year. This preferment is now held by the Rev. T. G. Leigh, who was appointed at the same time with Mr. Monk. He is the brother of one of the present common councilman, and the son of a deceased one. He holds no other benefice.

Residence and personal performance of the duty are required in this, as in all the other corporation appointments.

St. Luke's.

The church of St. Luke's was built entirely by the corporation, under the stat. 3 Geo. IV. c. 19, at a cost of 53,418 *l.* incurred from 1823 to 1832. Two clergymen serve this church, at salaries of 250 *l.* each, fixed by the Act. Both the present were appointed on the 1st December 1830, when the church was first opened. They are, the Rev. James Aspinall, M.A. son of the late alderman, and cousin of the present common councilman;* and the Reverend Charles Washington Lawrence, M. A. son of the alderman of that name. Neither of those clergymen have any other preferment, and both reside and perform the duties.

St. Michael's.

The building of the church of St. Michael was authorized by the statute 54 Geo. III. c. 111. That Act was repealed by 4 Geo. IV. c. 89, and the church and ground thereunto belonging were vested in the corporation, who completed the building at an expense of 16,000 *l.* up to 1832. It cost the parish about 30,000 *l.* more; and a clause in the Act of Parliament empowers the parish to resume the patronage and establishment of the church, on refunding the money expended by the corporation. Two ministers are also appointed to this church by the corporation, with stipends of 250 *l.* each, fixed by the Act of Parliament. The first is the Rev. Ambrose Dawson, fellow of Brazen Nose College, son of an alderman who died previous to his appointment, which took place in 1826. He has been for two years in an ill state of health, and his duty has been performed, with the consent of the common council, by a curate, the Rev. Cyrus Morrell, who receives 150 *l.* out of his stipend.

The other minister is the Rev. Thomas Johnson, A.M., appointed 5 January 1831, without any other preferment, and unconnected with any member of the corporation.

The fees for occasional duty are small.

The

* Chosen in 1834, Mayor of Liverpool.

LIVERPOOL.

St. Martin's.

The erection of St. Martin's church was commenced by the Commissioners for building Churches, and was completed by the corporation, at an expense of 6,600*l.* The patronage was vested in them by statute 10 Geo. IV. c. 11. The site was given by Mr. Houghton. The senior minister is the Rev. Nicholas Robinson, M. A. son of the alderman of the same name; he was appointed in 1830. Mr. Statham, son of the late town clerk, held it for a short time. The salary is 300*l.* a year.

The second minister is the Rev. Charles Thomas Gladwin, L. L. B., having no relationship with any member of the corporation. His salary is 200*l.* a year.

Both these clergymen reside and do the duty, and have no other preferment.

St. Paul's.

The corporation gave the site of St. Paul's church, and keep it in repair; but it was built by a rate on the parish, with St. John's church, under the provisions of the statutes 2 Geo. III. c. 68, and 7 Geo. III. c. 80. Three ministers, however, are appointed to it by the corporation, and paid by them:

1. The Rev. George Monk, M.A., father of the Rev. J. B. Monk; salary, 170*l.*
2. The Rev. Roger Heskett Formby, M.A., elected in 1827; salary, 100*l.*
3. The Rev. Richard Cardwell, evening lecturer; salary, 105*l.*

All these ministers are resident and perform the duty, none having any other preferment.

St. Thomas'.

This church is repaired by the corporation, under the regulations of the statute 21 Geo. II. c. 24.

The first minister is the Reverend John Smyth, B.D., with a salary of 220*l.* paid by the corporation: he has no other preferment. The second is the Reverend John Charles Prince; M.A.; salary, 165*l.*, with other preferment in Ireland, said to be worth 400*l.* a year.

St. John's.

The minister of St. John's church is also appointed and paid by the corporation. The church was built by the parish, under the provisions of the same statute which authorized the building of Saint Paul's above mentioned: the site was given by the corporation.

The minister is the Reverend Thomas Moss, M.A., whose salary is 180*l.* He is also vicar of Walton, yielding about 400*l.* a year: he resides on his vicarage, keeping a curate in Liverpool, and occasionally doing the duty at Saint John's.

St. Anne's.

The corporation completed the building of the church of Saint Anne's, and got the presentation to it, under Act of Parliament 12 Geo. III. c. 36, after three presentations. The Rev. William Blundell, M.A., a connexion of several members of the council, is the minister, with a stipend of 140*l.* He has no other preferment, resides, and does the duty.

St. David's.

This church was built by subscription, under the provisions of the statute 7 Geo. IV. c. 51, for the accommodation of the natives of Wales. The corporation gave the site, and a salary of 100*l.* to the Reverend Robert Davis, M.A. He also receives from them 25*l.* a year for officiating as chaplain at the infirmary. He has no other preferment.

St. Catherine's.

The circumstances relating to the bygone church of Saint Catherine's, as stated by the town-clerk, are somewhat peculiar. It was originally built as a place of worship for some dissenters, but afterwards licensed as a church of the Establishment. Being in a dilapidated state, and ill situated for the purpose, the corporation were desirous of pulling it down, in order to effect some improvements, and the bishop of the diocese entering into their schemes of amendment, consented to its abatement, on condition that the corporation should continue to pay to the minister, the Reverend Thomas Bold, during his lifetime, his annual stipend of 150*l.* This accordingly continues to form an item in the corporation accounts, payable to "the minister *late* of Saint Catherine's church."

St. George's Lectureship.

On the 2d January 1822, the Reverend James Case, son of Alderman Case, was appointed lecturer of Saint George's, with a yearly salary of 75*l.*, as fixed by Act of Parliament; but, by a resolution of the common council, an additional annual stipend of 240*l.* was voted to him.

This gentleman, having had the misfortune to be nearly deprived of his sight, the common council, by a resolution of 3d August 1825, consented to accept his resignation, and voted him an annuity of 210*l.* during his life, being two-thirds of his salary. At the date of his appointment in 1822, Mr. Case, though in orders, was a very young man, and had for his competitor the Reverend Dr. Pulford, a doctor in divinity, who had kept a school in Liverpool, and had been curate at the same church previously. Dr. Pulford was also a candidate on the appointment of Mr. Campbell, when Mr. Case resigned.

St. Mary's Chapel. Indigent Blind.

Under the Act of Parliament 10 Geo. IV. c. 15, for regulating and supporting the chapel of St. Mary attached to the school for the indigent blind, the patronage of that chapel, upon the occurrence of a vacancy, is now vested in four trustees; the mayor of Liverpool for the time being, the senior alderman, and two of the four vice-presidents of the institution, specially appointed by the donors and subscribers for the purpose of nominating the chaplain. The chapel was built by subscription, on ground that was leasehold for three lives and 21 years under the corporation, who, having granted the reversion expectant on the determination of that estate, obtained, under the Act, this share in the patronage. They had previously given also the reversion of the land on which the school for the blind is erected. The Reverend Edward Hull, M.A., of Saint John's College, Cambridge, the present chaplain, was elected by the subscribers at large. His appointment is confirmed by the Act, and is altogether independent of the common council.

LANCASHIRE.

LIVERPOOL.

His stipend, as fixed by Act of Parliament, is to be a sum not less than 300*l.* nor exceeding 500*l.* a year. The full stipend is paid to the present chaplain.

Other Churches.

There are several other churches, built by private individuals or subscription, as to which also the Acts of Parliament vest a future right of presentation, after the expiration of 40 years, or of three turns, in the corporation; but in which the right has not yet accrued to be exercised.

The titles of these Acts will be given under the proper head.

General Remarks as to Patronage.

This is the long roll of the ecclesiastical Patronage of this powerful body.

The close affinities that are to be found between the objects of that patronage and the common council of the borough will surprise no one who has informed himself of their constitution. He will expect to find them throughout (what in truth they are) a most united society.

To what an extent the union is carried, may be learnt from the document (sent herewith) entitled "Relationship." The roll of the common council, as there described, is made to present the following result.

"The foregoing statement exhibits some of the natural consequences of the system of self-election. It will be seen that of the 41 members of the council, 35 are on the same side of party politics; 37 are closely, or more distantly, connected by family ties with others of the present or late members of the council, or their officers; and of the 13 councilmen sent into the Dock Committee, 9 are also members of the Finance Committee, which, as managing the funds of the corporation, comes more immediately and frequently into collision with the Dock Committee. Nine have received their freedom by gift, and amongst the 41 there is not one one dissenter, though 9 vacancies have been filled up since the repeal of the Corporation and Test Acts."

To complain that a body so constituted should have bestowed their preferments on their near relatives, or their political partisans, would be nothing wiser than to rail against human nature.

But when it was affirmed by their officer that they had only dealt with the corporation churches "as others use their patronage," he must have forgotten that these churches were built, and in very recent times, with money derived mainly from the public purse; for their ability to contribute so largely to those pious purposes depends upon the revenue derived from the town's dues, drawn from the unfranchised merchants of their town.

The abuse of patronage, arising from the false and anomalous position in which the common council are placed by their conflicting interests as trustees of the Dock proprietors, on the one hand, and of the corporation on the other, was made the subject of strong observation, and is a matter well worthy of serious reflection. But it is one which will be more conveniently discussed in the report on the Dock Estate.

Acts of Parliament.

XIV. The following is a Schedule of the dates and titles of those Local Acts of Parliament which seem peculiarly to relate to the municipal government or local taxation of the borough. Many others, on different subjects, are contained in the printed "Chronological List of Acts which affect Liverpool and its Neighbourhood," (sent herewith.) The Acts relating to the Docks, Pilots, &c. will come under consideration in the Report on the Dock Estate, and are here omitted:

10 & 11 Will. III. c. 36. An Act to enable the Town of Liverpool, in the County Palatine of Lancaster, to build a Church (St. Peter's), and endow the same, and for making the said Town and Liberties thereof a parish of itself distinct from Walton.

1 Geo. I. c. 21. An Act for building and endowing a Church (St. George's) upon the site of the Castle of Liverpool, held by lease from the Duchy of Lancaster, and for explaining a former Act for building another Church there.

21 Geo. II. c. 24. An Act for the building a Church (St. Thomas) in the Town of Liverpool, in the County Palatine of Lancaster, and for enlightening and cleansing the Streets of the said Town, and for keeping and maintaining a Nightly Watch there.

25 Geo. II. c. 43. An Act for the more easy and speedy recovery of small Debts in the Town and Port of Liverpool, and the Liberties thereof, in the County Palatine of Lancaster.

2 Geo. III. c. 68. An Act for building two new Churches (St. Paul's and St. John's), and providing Burial Places within the Town of Liverpool, in the County Palatine of Lancaster, and for the better preserving the Pavements of the Streets in the said Town, and for ascertaining the Fares and Prices to be paid Carters, Carmen, Hackney Coachmen and Chairmen, and for regulating their behaviour within the said Town.

7 Geo. III. c. 80. An Act for enlarging the Term and Powers granted by an Act of the second year of the reign of his present Majesty, for erecting and building two new Churches, and providing Burial Places in the Town and Parish of Liverpool, in the County Palatine of Lancaster.

11 Geo. III. c. 16. An Act to enable His Majesty to License a Playhouse, in the Town of Liverpool, in the County Palatine of Lancaster.

12 Geo. III. c. 36. An Act for completing a Building intended for a new Church (St. Anne's) or Chapel, at Richmond, near Everton, in the County Palatine of Lancaster, and for other purposes.

26 Geo. III. c. 12. An Act for opening, making, widening and altering certain Streets, Passages and Places within the Town of Liverpool, in the County Palatine of Lancaster, for supplying the said Town with fresh and wholesome Water, for removing and preventing Nuisances and Annoyances therein, for appointing additional Market Places, and for extending so much of the Powers of an Act of the second year of his present Majesty, as relates to Hackney Coachmen, Chairman, Carters and Porters, to a certain distance beyond the Liberties of the said Town.

26 Geo. III. c. 15. An Act for augmenting and ascertaining the Income of the Rectors of the Parish Church and Parochial Chapel of Liverpool.

28 Geo. III. c. 13. An Act for enlarging and varying some of the powers contained in certain Acts of Parliament, relating to the watching, lighting and cleansing the Streets and other Places within the Town of Liverpool, and for removing and preventing Nuisances and Annoyances therein.

32 Geo. III. c. 76. An Act for building a new Church or Chapel (Trinity) within the Town and Parish of Liverpool, in the County Palatine of Lancaster.

38 Geo. III. c. 72. An Act for the better security and defence of the Town and Port of Liverpool.

39 Geo. III. c. 36. An Act for better supplying the Town and Port of Liverpool with Water from certain springs in the Township of Bootle, in the County Palatine of Lancaster; (enlarged by 50 Geo. III. c. 165, and 53 Geo. III. c. 122.)

39 & 40 Geo. III. c. 106. An Act for establishing a new Church or Chapel (Christ's) lately erected on the south-side of Hunter-street, within the Town and Parish of Liverpool, in the County Palatine of Lancaster.

42 Geo. III. c. 71. An Act for enabling certain persons in the Town and Port of Liverpool, in the County Palatine of Lancaster, to erect an Exchange there, for the accommodation of themselves and the merchants, and others concerned in trade in the said Town and Port, and for incorporating the proprietors thereof.

54 Geo. III. c. 111. An Act for building a new Church (St. Michael's) within the Town and Parish of Liverpool, in the County Palatine of Lancaster.

56 Geo. III. c. 65. An Act for establishing a new Church, called the Church of St. Mark, situate in the Town and Parish of Liverpool, in the County Palatine of Lancaster.

58 Geo. III. c. 66. An Act for lighting with Gas the Port and Town of Liverpool and Township of Toxteth Park, in the County of Lancaster.

59 Geo. III. c. 9. An Act for abolishing the payment of certain Tolls, called Ingates and Outgates, collected at the several entrances into the Town of Liverpool, in the County of Lancaster, and of certain tolls and stallage now payable in the markets and fairs there; and for granting other tolls and stallage in lieu thereof; and for the better regulation of the said Markets and Fairs.

1 Geo. IV. c. 2. An Act for regulating and supporting a new Church or Chapel (St. Philip's) within the Town of Liverpool, in the County Palatine of Lancaster, and for the solemnization of Marriages therein.

1 Geo. IV. c. 13. An Act for revising, extending and varying the powers of 26 Geo. III. c. 12.

3 Geo. IV. c. 19. An Act for erecting and endowing a Church in the Town of Liverpool, in the County Palatine of Lancaster, to be called St. Luke's Church, and for revising and amending an Act of 21 Geo. II. so far as relates to St. Thomas's Church.

3 Geo. IV. c. 77. An Act to repeal so much of 26 Geo. III. c. 12, as relates to supplying the town with Water, and to grant other powers for supplying the said Town and Port, and the shipping resorting thereto, with Water.

4 Geo. IV. c. 39. An Act for lighting with Oil Gas the Town of Liverpool, and certain places adjacent thereto.

4 Geo. IV. c. 89. An Act to repeal 54 Geo. III. c. 111, to vest the said Church (St. Michael's) in the Mayor, Bailiffs and Burgesses of the Town of Liverpool, to authorize the purchase of Land in the said Town, to be appointed to the use of public Cemeteries, and to restrict the burial of corpses in the present Cemeteries of the Parish Church and Parochial Chapel there.

7 Geo. IV. c. 49. An Act for making and maintaining a Railway or Tramroad from the Town of Liverpool to the Town of Manchester, with certain branches, enlarged and amended by several subsequent Acts.

7 Geo. IV. c. 51. An Act for erecting and endowing a Church in the Parish of Liverpool, in the County Palatine of Lancaster, to be called the Church of St. David.

7 Geo. IV. c. 52. An Act for providing an additional Cemetery (St. James's) in the Parish of Liverpool.

7 Geo. IV. c. 57. An Act for widening and improving certain Streets in the Town of Liverpool, for the further prevention of Nuisances and Annoyances therein; for the

LIVERPOOL.

regulation of Weighing Machines, Weights and Measures, and the establishment of a Fire Police therein.

10 Geo. IV. c. 11. An Act for vesting a new Church (St. Martin's) in the Parish of Liverpool, in the Mayor, Bailiffs and Burgesses of the said Town, and for authorizing the appointment of Districts for the better performance of Ecclesiastical Duties within the said Parish.

10 Geo. IV. c. 15. An Act for establishing and governing an Institution in Liverpool, called "The School for the Indigent Blind at Liverpool," for incorporating the Subscribers thereto; and also for regulating and supporting a Chapel (St. Mary's) attached to the said Institution.

10 Geo. IV. c. 51. An Act for erecting and endowing a Church (St. Catharine's) in Abercrombie-square, in the Parish of Liverpool, in the County Palatine of Lancaster.

11 Geo. IV. c. 15. An Act for the better paving and sewerage of the Town of Liverpool, and for settling the Boundaries between the said Town and the Township of Kirkdale, and parts of the Township of Everton and West Derby.

1 Will. IV. c. 21. An Act for the better assessing and recovering of the Acts for the relief of the Poor, and of the Ecclesiastical or Church Rates upon small Tenements within the Parish of Liverpool, in the County Palatine of Lancaster.

1 & 2 Will. IV. c. 49. An Act for endowing a Church, called St. Bridgett, in the Parish of Liverpool, in the County Palatine of Lancaster.

2 & 3 Will. IV. c. 14. An Act to authorize the payment out of the Consolidated Fund of a sum of money toward the erection of certain Revenue Buildings at Liverpool.

4 & 5 Will. IV. c. 92. An Act for amending the proceedings and practice of the Court of Passage of the Borough of Liverpool, in the County Palatine of Lancaster.

GENERAL STATE AND PROSPECTS.

XV.—To furnish a detailed Report upon the general state and prospects of Liverpool would be to trace the progress of perhaps the most flourishing, and certainly one of the most important sea-ports in the world. The change effected by the opening of a communication with Manchester by railroad, of itself would demand a long disquisition; and as it is impossible to bring within the compass of this Report matters of such extent and magnitude, it must suffice here to give, without comment, the mere statistical statements supplied, premising merely, from the evidence of the town clerk, a few particulars from which the general advancement of the town and port to its present high and prosperous state may be the more readily inferred.

The receipts at the Custom-House were—

In the year 1733	£.92,466	13	4
In the year 1832	3,925,062	8	2

having increased more than 42-fold in a century. A document is sent herewith showing the amount in the intervening years.

The number of Assessments on the parish books was,—

	Number.
In the year 1820	21,053
In the year 1833	33,031

The amount of Assessments, iucluding corporation tolls, &c., was—

In the year 1814	£.557,974	–	–
In the year 1833	790,081	–	–

A document accompanies this Report, showing the number and amount in the intervening years, with a classification of the properties.

The Population was—

In the year 1700	5,714
In the year 1831	165,221

having increased about 29-fold in 130 years.

The number of Dwelling-houses was—

In 1811	16,162
In 1831	27,466

The amount of Dock-rates was—

In the year 1752	£.1,776	–	–
In the year 1833	182,980	–	–

The

The following approximation to the supposed annual amount of the Trade of Liverpool, in its various branches, was offered by Mr. Myers, whose evidence on the town's duties has been already noticed:— Trade.

Total Exports of manufactures		£.20,000,000
Of which—Woollens	£.4,000,000	
Cotton goods and yarn	12,000,000	
Linens	1,000,000	
Hardware	1,200,000	
Earthenware	350,000	
Silk	150,000	
Salt and other articles	1,000,000	

The total Imports he estimated roughly as follows:

Irish trade	£.5,000,000
Raw cotton	5,000,000
All other articles	5,000,000
Total of Exports and Imports	£.35,000,000

At the anniversary of the District Society for Promoting Christian Knowledge, held in June 1833, there were actually present— Schools in connection with Church.

Boys	3,122
Girls	2,420
Total	5,542

receiving instruction at the various schools in connexion with the Established Church within the limits of the borough.

The children of the Blue-coat School (about 350 boys and girls) attend service at the parochial chapel of Saint Peter, and the mode of education and system of management there was said to have been admitted by Dr. Bell himself to be as perfect as that of any other school in England conducted on his plan. The system indeed of education at the schools connected with the Establishment generally was represented to be very efficient.

With this Report is sent a detailed statement of the numbers of children at the 18 several schools; according to which there were, on the 30th November 1833, altogether—

Boys	3,122
Girls	2,355
Total	5,477

This includes schools lying without the parish of Liverpool, but within the new Parliamentary boundary of the borough.

There was also handed to the Commissioners a comparative view of the schools, both of the Established Church and of the Dissenters, giving the following result: Schools of Dissenters.

The total numbers at schools of the Established Church	4,670
,, ,, of the Dissenters	8,524

But this document (which was said to be founded partly upon reports printed by committees of various schools, partly from information derived from members of those committees, and from the collector of several charitable institutions) had been evidently drawn up in round numbers, and upon bare surmise in many parts; for instance, the numbers of children at the North and South Corporation Schools* are taken at 500 for each school, whereas the actual numbers were, at the North School 720, at the South 708.

It was stated by a member of the Scotch Secession congregation, formerly a schoolmaster, that their two churches have a congregation of from 800 to 1,000 persons, and that Sunday schools are attached to their establishment.

He considered the National schools (with the exception of the Blue-coat school) to be behind the Dissenters in their system of education, but that there was ample room for improvement in both. He stated also, that the Unitarian schools, though defective in not communicating religious instruction on week days, were otherwise the best taught in the town; the persons selected as masters for the other schools being commonly decayed tradesmen, preferred from motives of charity alone. The poorer portion of the Roman Catholic population, according to his testimony, send their children in great numbers to the schools of the Methodists. His censure, however, was not founded on any actual visit of the schools of the establishment generally, and it was questioned in many respects by both the rectors of the parish, and also by a member of the common council, who is a merchant residing

* These schools have been more particularly noticed already under the head of Property, "Free Schools."

LIVERPOOL.

residing in the town, and a magistrate for the county; and who, from having as a member of the school committee, drawn up regulations for the management of the schools, had undoubtedly ample means of forming a correct judgment on the subject. This gentleman, however, while he vindicated their system so far as it is carried, admitted that there was still a great defect of the means of education for so large a town as Liverpool, and stated his impression, that the matter should not be left to the voluntary charity of individuals or associated bodies; but that one general system of education should be introduced, under which schools might be established in every parish, at the expense of the community at large.

Schools of Roman Catholics.

According to a statement read before the Commissioners, by a doctor in medicine, of the Roman Catholic persuasion, the total number of children educated at four schools of the Roman Catholics, within the borough, was 1,428. This does not include the Sunday schools of their establishment. The statement is sent with this Report.

Methodist Day and Sunday Schools.

From a printed "Report of the Methodist Day and Sunday Schools, in the town of Liverpool, for the year 1832," it appears that there were, at the three day's schools of Jordan-street, Leeds-street and Brunswick-street, 1,559 scholars; and at 10 Sunday schools, 1,449 scholars.

Population.

From a printed "Bill of Mortality, in the Parish of Liverpool and its Vicinity," the details of which were adopted by the witnesses, it appears that the population of Liverpool under the census of 1831, was 165,221; and of its vicinity (including Toxteth Park, Everton and Edge Hill) 40,760; making a total population of 205,981.

The same document (which is sent herewith) shows, from a statement of the christenings, burials and marriages, at given intervals, the very rapid increase in that population, from the year 1660 down to the year 1831.

Roman Catholic Population.

A gentleman at the bar, who had taken great pains to inform himself upon the subject, and was provided with ample materials for conducting the inquiry, had made a calculation of the proportion borne by the number of Roman Catholics, to the rest of the population within the same district; his calculation was based upon the supposition, that the Catholic population would bear the same ratio to the total population, that the number of Catholic baptisms in any given year is found to bear to the total number of baptisms in that year; and, upon that assumption, the result would give a Roman Catholic population in 1832, of 62,051 for Liverpool and its vicinity; thus, exceeding one-fourth of the entire population, which (taking into the account the seamen of the port, and the increase since the census in 1831) he estimated at 220,974.

From the same and other data, this gentleman estimated the numbers of Dissenters, of all denominations, together with the Roman Catholics, at six-elevenths of the entire population of Liverpool and its vicinity; his evidence will be found at length, at p. 46 of the printed Report of the Inquiry, sent herewith.

The increase of the Population and Dwelling Houses, since 1700, is exhibited in the following Table:

Population of *Liverpool*.

1700	5,714	
1710	8,168	
1720	11,833	
1730	12,074	
1742	18,000	
1756	18,500	
1760	25,787	
1770	35,600	
1777	34,107	
1790	55,732	
1801	77,708	
1811	94,376	As per Census, showing an increase in Thirty Years of 87,522=12 4/7ths per cent.
1821	118,972	
1831	165,229	

Dwelling Houses in *Liverpool*, per County List.

1811	16,162
1821	20,339
1831	27,466

The

The progressive state and classification of assessments upon the parish of Liverpool are shown in the following Table:— Assessments to Relief of Poor.

Parish of *Liverpool*:—Assessments, including Corporation Tolls, &c.

YEAR.	Number.	Amount.	
		£.	
1814		557,974	In those years the full value is supposed to be taken.
1815		552,593	
1816		529,710	
1817		561,737	
1818		580,027	
1819		578,472	
1820	21,053	577,743	
1821	22,000	579,447	
1822	23,076	471,120	In those nine years the Assessments are presumed to be about four-fifths of the value.
1823	23,279	474,151	
1824	23,886	487,751	
1825	24,162	501,904	
1826	24,699	518,500	
1827	25,756	521,220	
1828	26,253	530,623	
1829	27,023	548,218	
* 1830	27,791	568,531	
† 1831	30,320	695,759	Presumed to be the full value.
1832	32,554	854,587	Presumed to be the full value.
1833	33,031	790,081	„ above $\frac{9}{10}$ths of ditto.

CLASSIFICATION.	*1830.		†1831.		1832.		1833.	
	Number.	Value.	Number.	Value.	Number.	Estimated.	Number.	Estimated.
		£.		£.				
Dwellings under 10*l.*	15,183	63,127	11,030	78,988	11,264	- -	11,111	
Ditto - of - 10*l.*	962	9,620	2,093	20,930	1,852	- -	1,942	
Ditto - above 10*l.* and under 15*l.*	2,178	26,653	4,979	63,654	5,495	- -	5,630	
Ditto - of - 15*l.*	626	9,390	1,509	22,635				
Ditto - above 15*l.* and under 20*l.*	2,169	211,418	2,395	40,577	9,138	- -	9,506	
Ditto - 20*l.* and upwards	4,101		5,093	195,279				
Warehouses, Offices, Yards, &c.	2,561	205,323	3,220	233,699	4,804	- -	4,841	
Corporation Tolls	1	43,000	1	40,000	1	- -	1	
	27,791	568,531	30,320	695,759	32,554	- -	33,031	

It has been found the most convenient course, in so populous a parish, to levy one rate only in the year; for the year commencing 25th March 1833, the entire rate was 2*s.* 1*d.* in the pound. In the previous year, owing to the affliction of the cholera, and a heavy increase in the county rate; it had amounted to 2*s.* 6*d.* The county rate upon the parish ranges annually between 12,000*l.* and 15,000*l.*; this, however, includes the instalments levied for the completion of the House of Correction at Kirkdale, which will cease in about five years.

Previous to the year 1830, there had been great discrepancies in the valuation of property throughout the town; and the matter having been brought under the serious consideration of the churchwardens and select vestry, it was resolved to have the whole property revalued on the principle of taking the actual annual value.

The resulting assessment for the year 1833 was as follows:—

15,985 Assessments of 12*l.* and under.
6,703 - - ditto - - of 13*l.* to 20*l.* both inclusive.
6,117 - - ditto - - above 20*l.*

28,805	Houses - - - - - - value assessed - - -	£. 475,776
4,222	Warehouses, Offices, &c. - - ditto - - -	239,735
33,027	Assessments - - - - - - - -	715,511
	Public Companies - - - - - - -	33,118
	Corporation—Town Dues, &c. - - - -	47,279
		£. 795,908

LIVERPOOL.

The intelligent gentleman (assistant overseer, appointed under the 59 Geo. III.) who furnished this information, communicated some remarkable facts and suggestions, on the subject of the parochial assessments, generally, throughout the Kingdom. In illustration of the fact, that these assessments are now governed by no fixed principle, he stated that at Much Wenloch, in Shropshire, the rate was taken at 1–96th part; in Wakefield, at 1–6th; and in Leeds, at 1–5th of the annual value; and in short, that the assessments varied according to the whim of the overseers.

His opinion was, that the Legislature would confer a great benefit on the country in taking away this discretionary power from the parochial officers, and enacting some measure for the universal equalization of the principle of assessment.

Irish Poor.

He also produced the following Document:

An Account of Irish Poor removed under Magistrates' Orders, and passed from Liverpool to Ireland, in each year, beginning with 1824 and ending with 1831; distinguishing those passed from the Parish of Liverpool and from the County of Lancaster.

	From within the County of Lancaster.			For other Counties.			Grand Total in each year.
	From Liverpool.	From other Places.	Total.	From Middlesex.	From other Places.	Total.	
1824	1,455	151	1,606	476	399	875	2,481
1825	1,588	279	1,867	673	488	1,161	3,028
1826	2,443	1,848	4,291	820	1,311	2,137	6,428
1827	2,803	962	3,765	1,379	911	2,290	6,055
1828	1,956	522	2,478	1,173	698	1,871	4,249
1829	1,522	1,442	2,964	1,177	945	2,122	5,086
1830	2,719	682	3,481	1,443	755	2,198	5,679
1831	2,669	649	3,318	1,576	969	2,545	5,863
From Liverpool	17,235						
From other places	6,535	6,535					
From within the County of Lancaster	23,770		23,770				
From Middlesex	- - -	- - -	- - -	8,723			
and Other Counties	- - -	- - -	- - -	6,476	6,476		
	15,199			15,199		15,129	
TOTAL	39,869						39,869

Workhouse.

A copious Report of the churchwardens and select vestry respecting the state of the Liverpool Workhouse, for the year ending 25th March 1833, was handed to the Commissioners, and is sent with this Report. Some attempts were made to draw them into an investigation of the imputed mismanagement of that establishment; but as this did not seem to them to be a matter falling within the proper scope of their inquiry (the corporation having, in that character, no concern with it), such attempts were instantly checked by them. It is thought fit, however, to send, with the report of the select vestry, the printed counter-statement of an individual, remarking only that it was wholly unsubstantiated by any thing in the shape of evidence.

Watch, Scavengers and Lamps.

A document sent herewith exhibits the account current of the Commissioners of Watch, Scavengers and Lamps, with the parish of Liverpool, from the 29th of September 1832 to 30th September 1833. The amount of the expenditure being 21,156*l.* 13*s.* 2*d.*

Public-houses and Beer-shops.

The number of Public-houses and Beer-shops in Liverpool at the date of the inquiry was 1,169.

The number of Licenses granted for the purpose of retailing Beer, under the Act of 1 Will. IV. c. 64, in the parish of Liverpool, from the 31st of October 1832 to the 31st of October 1833, was 477.

Merchant Seamen's Hospital.

Some evidence was offered respecting a charitable institution, called the Liverpool Merchant Seamen's Hospital; but it appeared that, although a member of the council, Alderman Horsfall, is chairman of the society, the corporation at large have no control over it.

A report for the year 1832 (sent herewith) exhibits the state and application of their funds. Their capital stock amounts to 36,950*l.*

LIVERPOOL.

Two other societies, the District Provident and the Friendly Society of Liverpool, were brought under notice by the rector of the parish, and the following statements adduced: District Provident and Friendly Societies.

"DISTRICT PROVIDENT SOCIETY.

"Amount of sums collected by the visitors (who go round their districts once in each week for the purpose), during the three years since its commencement, and also the amount returned for the purpose of paying rent, and providing winter stores, clothing and fuel.

	Received. £. s. d.	Returned. £. s. d.
"From October 1830 to 1831 - -	1,460 7 6	954 5 4½
1831 to 1832 - -	3,797 7 11	3,384 18 6
1832 to 1833 - -	7,618 19 9½	7,172 16 8½
	12,876 15 2½	11,512 - 6½

Balance - - - £.1,364 14s. 8d.

"LIVERPOOL FRIENDLY SOCIETY connected with the Savings' Bank:

"Number of Members, July 1, 1833 - - - 2,873

	£. s. d.
"Weekly Allowance to Sick Members from July 1, 1832 to July 1, 1833	2,440 4 -
"At 106 Deaths - - - -	1,039 - -
	3,479 4 -

"Present Amount of Fund - - - £.5,842. 19s. 10d.

"Allowance to Members when Sick is 12s. per week.

"Ditto to Representative, on death of Member, if married £. 10

" " " if single £. 7

"The deaths were numerous, and the sickness heavy in this year, as during it was the first appearance of the cholera morbus."

The general state and prospects of the Port of Liverpool may be illustrated by the insertion of a document exhibiting the Increase of Revenue from the Customs at Liverpool, in sundry years, from the year 1733 to 1832 inclusive. Increase of Revenue from Customs.

YEAR.	LIVERPOOL Customs Receipt. £. s. d.	Net Remittance to the Receiver General for payment in the Exchequer as stated in Court. £. s. d.	YEAR.	LIVERPOOL Customs Receipt. £. s. d.	Net Remittance to the Receiver General, for payment in the Exchequer, as stated in Court. £. s. d.
1733	92,466 13 4	35,106 14 6	1805	1,766,370 5 9	1,468,063 7 7
1750	215,961 7 4	58,907 5 3	1810	2,675,766 8 10	2,347,409 10 9
1755	202,367 9 2	49,661 - 8	1815	2,360,967 15 9	4,146,448 19 9
1760	248,312 1 9	84,480 8 10	Duty on Tobacco, Coffee and Pepper transferred to the Excise in 1819.		
1765	269,435 8 1	70,346 2 11			
1770	231,994 12 5	72,987 13 11	1820	1,488,072 9 10	1,269,115 1 1
1775	274,655 3 1	96,159 3 6	1824	1,984,522 16 -	1,660,971 2 1
1780	188,830 6 11	108,648 4 2	Excise Import Duties transferred to the Customs 1825.		
1785	680,928 19 10	264,771 5 8			
1790	Books from 1789 to 1792 not to be found.		1826	3,087,651 2 7	2,896,535 13 11
			1827	3,308,804 4 4	3,113,384 12 3
1795	469,438 18 5 this decrease may be accounted for by the War.	250,462 16 1	1828	3,180,503 14 4	2,973,416 19 10
			1829	3,315,041 10 3	3,123,758 8 10
			1830	3,562,114 14 11	3,333,473 19 6
1800	1,058,578 12 6	734,320 12 6	1831	3,599,206 3 3	3,381,574 19 7
The Warehousing Act, 53 Geo. 3. chap. 133, passed 11 August 1803.			1832	3,925,062 8 2	3,741,382 - -

It is impossible to attempt more than a brief recapitulation of the testimony of one of the several intelligent merchants examined, respecting the causes and consequences of this rapid advancement of the port of Liverpool. Causes and consequences of Prosperity,

The natural conveniences of the harbour stand foremost among those causes: these have been enhanced to an immense extent by the construction of the docks (the enlargement of which is still rapidly progressing); by the connection of the port, by means of canals and railways, with every part of the kingdom; and by the introduction of steam power in aid of navigation.

The natural advantages of the surrounding district are next in importance. An extensive field of the most valuable coal, quarries of iron and freestone and mines of salt, on the one hand; on the other, the rich products of Ireland and the Manx fisheries.

LIVERPOOL.

These have led to their necessary results among a free and industrious people—the establishment of various manufactures and extensive commercial enterprize. Among other remarkable consequences of these powerful causes, it was noticed that the establishment of steam-vessels had induced the Glasgow and Irish merchants to send large quantities of manufactured goods to Liverpool, for shipment to all parts of the globe; that, for many years past, the Americans have carried on a large trade in British goods with China, through the port of Liverpool; and that the Liverpool merchants have been enabled so effectually to compete with the metropolis in the Birmingham and other markets as to have induced the leading firms in London to establish branches at Liverpool to a great extent.

But the working of this wonderful combination of the causes of national wealth is, perhaps, most forcibly illustrated in one recorded fact. It is thus related in the "Report of the Directors of the Liverpool Mechanics' Institution to the general half-yearly Meeting of the Members, September 11th, 1833."

"A merchant in Manchester wanted 1,500 pieces of printed calico of a particular description, in three colours, to be sent off the next day to America; not finding them at any of the warehouses, he went to Harpur Ley, to Mr. Lockett's, who had nothing of the kind wanted; this was at five in the evening, and it was necessary to have the goods in Manchester the next day before one, to go by the rail-road to Liverpool. Mr. Alsop, who is at the head of Mr. Lockett's establishment, said he was willing to undertake the order at his own risk. He did so; the pieces were printed in three colours, dried, glazed, packed and sent off to Manchester by twelve o'clock; they reached Liverpool at three, were put on board and the vessel sailed at five, just 24 hours after the order was given."

Mechanic's Institution.

A fact in connexion with this Mechanic's Institution, may be noticed in the conclusion of my Report, as illustrative of the working of the constitution of the corporation: on the 22d July 1833, the following petition was presented:

"To the worshipful the Mayor, the Bailiffs and the Common Council of the Borough of Liverpool; the Petition of the undersigned Members and Students of the Mechanics Institution of Liverpool.

"Sheweth,

"That your petitioners are deeply impressed with the sense of the great advantages which have been derived by the working classes of this great commercial and manufacturing district, from the dissemination of scientific knowledge amongst them, through the instrumentality of the Liverpool Mechanics Institution.

"That the members of the Institution have, in the short period of twelve months, increased in number from two hundred and thirty-two to upwards of one thousand, which increase has rendered the rooms they at present occupy totally inadequate to their accommodation.

"That, unlike the elementary branches of an ordinary education, for which the requisites are few and not expensive, a scientific school, to answer the purposes for which it is intended, must have a large hall for its lectures, rooms for its apparatus, for its library, and in which to conduct philosophical experiments, in order to illustrate mechanical and chemical science, and their application to manufactures and the arts.

"That in order to provide such indispensable accommodaton, the Directors of this Institution made an appeal to the public, in the month of October last, soliciting subscriptions to form a fund for building a new Mechanics' Institution, on a scale capable of affording such accommodation as would preclude the possibility of any searcher after knowledge being for the future excluded from its walls, and worthy also of its object and of the great town in which it is to be erected.

"That the public have responded to this appeal with a cheerfulness and alacrity most gratifying in itself, and highly creditable to the worthy individuals. The sum of 1,200 *l.* has been already subscribed by, comparatively, a very few; and from the way and under the circumstances in which this aid has been bestowed, your petitioners have not the least doubt that any aid that may appear needful will be readily obtained, so soon as the grant of the land will enable them to shew that no impediment will exist to the carrying the wishes of the subscribers into effect.

"That your petitioners, therefore, fully hope and expect that the Corporation will feel the same interest in their welfare that has been so strongly manifested by their fellow townsmen, and bestow on your petitioners a suitable piece of land in an appropriate situation, on which they may erect the intended building.

"That your petitioners hope that the corporation, in making the gift of land above alluded to, may be guided by the liberal spirit which on similar occasions has distinguished them, and grant land to such an extent as will afford space for any additions that may hereafter be required to afford accommodation for a body which has shewn such a tendency to rapid increase.

"That your petitioners most humbly and earnestly pray, that you may take this their humble petition into your early and serious consideration, and by granting its prayer, prove that the corporate body is not inimical to the promotion of knowledge among the people, but, on the contrary, that it is anxious to take the lead in elevating and improving the character of the great population over which it presides; and thus further prove, that in common with the rest of mankind, it is convinced that knowledge widely diffused and well applied is the true source of national greatness."

On the 5th September the common council sent the following answer:

"Sir, Town Hall, 5th September 1833.

"I beg to acquaint you that I laid before the common council, at their meeting yesterday, the petition of the members and students of the Mechanics' Institution of Liverpool, requesting a grant of land from the corporation, as the site of a projected building, for the accommodation of that institution.

"The council resolved to postpone the consideration of this application until the question regarding right of the town dues is finally settled.

"I am, &c.

(signed) "*Charles Horsfall*, Mayor."

"To Mr. John Leyland, secretary to the Mechanics Institution."

The reason why a final settlement of the question regarding the right of town dues should be made a condition precedent to the granting a suitable piece of land for the erection of a new

a new Mechanics' Institution, does not seem very obvious, unless it is to be attributed to a spirit of retaliation quite unworthy of this great and influential body, and by which many of its members, in their individual capacity, never could have been actuated, for among them were members who, at this very time, were the active promoters of the institution. But thus it is throughout the system: while we find the highest tributes paid (and justly) to the personal characters and individual motives of action of the members of the common council, they are shown, as a body, to be perpetually subject to the bias of some unbecoming influence of partizanship, standing aloof from the commonalty, and looking mainly to the aggrandizement of the select few.

George Hutton Wilkinson.

I send with my Report the Documents enumerated in the following lists:

Lists of Documents accompanying the Report on the Borough of Liverpool.

T. I. No. 1.—Plan and Description of the Boundaries of the Borough and Parish of Liverpool.

No. 2.—Plan of the Town of Liverpool, with the environs in 1829, the Boundaries of the Borough defined thereon, signed by the Town Clerk.

T. II. No. 1.—Testes of the Liverpool Charters to 7 Will. III., and Lists of all the Charters of Liverpool.

No. 2.—Copy of the Governing Charter of Will. III.

No. 3.—Translation of the same, and Copy of the Charter of Geo. II., with a summary of proceedings of the Corporation, &c. &c. Liverpool, 1810.

No. 4.—Letter of the Town Clerk, 7th Oct. 1834; concerning the earlier Charters of Liverpool, &c.

(Concerning the Town's Duties.)

No. 5.—Copy, Information, Answers, Depositions and Decree in the Lancaster Freeman's Suit.

No. 6.—Copy, Bill, Answer and Decree in London Cheesemonger's Suit.

No. 7.—Copy, Bill, Answer and Decree in Molyneux *v.* Corporation of Liverpool, 2 & 3 P. &. M.

No. 8.—Extracts from Record Books of Corporation, in the case of Liverpool Corporation *v.* Bolton & Co.

No. 9.—Copy, Case laid before Counsel in 1824 by Town Clerk.

No. 10.—Copy, Lists of Town's Dues referred to in foregoing Case.

No. 11.—Office Copy, Inrolment of Commission and Certificates touching the Port of Chester and its members.

No. 12.—Copy, Case laid before Mr. Hargrave, by Mr. Henry Brown, in 1789.

No. 13.—Copy Resolution of 7th February 1821, as to appointment, salary and duties of the Receiver of the Town's Dues at Liverpool.

No. 14.—Ditto, ditto, 2d November 1825.

No. 15.—Statements of Emoluments of Receiver of Town's Dues, from 1822 to 1830.

No. 16.—Copy Resolutions of 4th November 1818, as to appointment, salary and duties of the Receiver of the Town's Dues at Runcorn.

No. 17.—Copy of Resolutions of 4th January and 6th April 1826, as to the Sureties of Mr. Thomas Corrie, Receiver of the Town's Dues.

(For the remaining Documents relating to the Town's Dues, *see* T. XIII. Nos. 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26 and 27.

T. IV. No. 1.—Copy, Resolution 3d August 1832, as to the duties of the Town Clerk and Clerk to Magistrates.

No. 2.—Form of Appointment of Deputy Mayor.

No. 3.—List of Common Council in January 1815, with dates of their election, when Mayor, &c. &c., also list of Members of Council since elected.

No. 4.—List of Treasurers and Receivers of Town's Duties since 1716; specifying those who were Members of the Common Council.

No. 5.—Copy, Resolution of 5th July 1820, as to Appointment, Salary and Duties of Treasurer.

No. 6.—Copy, Resolutions 25th February and 3d March 1824, as to Appointment, Salary and Duties of the Clerk to the Committees.

No. 7.—List of Audit Commissioners.

T. V. No. 1.—Copy, Resolution 6th November 1816, relative to Inrollment of Apprentice's Indentures.

No. 2.—Copy of the Oath of a Free Burgess of Liverpool.

LIVERPOOL.

No. 3.—Petition for the disfranchisement of the Freemen of Liverpool, 21st February 1833, from the Electors and other Inhabitants to the House of Commons.

No. 4.—Extracts from Mr. Booth's Pamphlet in 1733.

No. 5.—Statement of Votes of Common Council, &c. at last contested Election.

No. 6.—Statement of Treasurer's Clerk respecting fines paid for freedom from 1746 to 1758.

No. 7.—Ditto, ditto, ditto, from 1773 to 1792.

No. 8.—Liverpool Election Petition, Report and Evidence, March 1831.

No. 9.—Liverpool Borough Elections, ditto, ditto, July 1833.

No. 10.—Liverpool Borough Petition, ditto, ditto, April 1833.

T. VI. No. 1.—Copy, Resolution of 14th January, 22d Eliz.; and 4th July, 21 Jac. I, touching election of Councilmen. (Inserted in Report.

No. 2.—Copy, Resolutions of 4th October and 6th November 1695, on the same subject.

No. 3.—Copy, Resolutions of 18th October 1629, 20th February 1636, 21st June 1642, and 29th October 1652, on the same subject.

No. 4.—Copy, Resolution of 23d September 1736, annulling proceedings of Common Hall convened in the mayoralty of the Earl of Derby, after his lordship's death.

No. 5.—List of the Common Council of Liverpool, showing their relationship, political professions, &c.

No. 6.—Abstract of Pleadings, verdict and judgment, in the case of the King against Richard Walker, Trinity Term, 31st Geo. III. 1791.

No. 7.—Copy Record in same case.

No. 8.—Copy record in the case of the King against Joseph Birch; Hilary Term, 32 Geo. III. 1792.

No. 9.—Copy, Petition of Bankers, Merchants and Householders in Liverpool to the House of Commons, praying for Corporate Reform upon appointment of the Committee to inquire into the state of existing Municipal Corporations.

No. 10.—Suggestions as to constitution of the Common Council.

T.VIII. No. 1.—Table of Fees taken at Quarter Sessions.

No. 2.—Prosecutor's Bill of Costs, at - ditto.

No. 3.—Number of Prisoners committed for trial at ditto during each year, from 1827 to 1833, both inclusive.

No. 4.—List of Fees taken by the Town Clerk in Criminal Cases.

No. 5.—Number of Causes entered and tried in the Court of Passage during each year for seven years preceding November 1833.

No. 6.—Cause List in the Court of Passage, 24th October 1833, showing the amount of damages tried for in each of the 81 cases entered.

No. 7.—Blank Forms of the different process used in the Court of Passage or Borough Court.

No. 8.—Code of Rules made 17th October 1833, for regulating the practice of the same Court.

No. 9.—Official Letter from Mr. Peter Hope, Chairman of the Liverpool Guardian Society, to the Commissioners, respecting the extension of the powers of the Court of Passage and Court of Request. (Inserted in Report, p.28.)

No. 10.—Copy, Petition of Tradesmen of the borough of Liverpool to the Mayor and Aldermen and Common Council, praying for extension of Powers of Court of Requests.

No. 11.—Letter of Mr. Hope with the same.

No. 12.—List of Fees in the Court of Requests at Liverpool.

No. 13.—Copy, Return sent to Secretary of Law Commissioners from the same Court, of the Number of Suits, &c. &c. in the year ending 12th February 1831.

T. IX. No. 1.—Form of Precept to Borough Bailiffs to summon the Petty Jury.

No. 2.—Form of Summons to Grand and Petty Jurymen.

No. 3.—Statement of the Votes given at the contested Election in December 1832 by the several Jurymen summoned to serve on Juries on following Quarter Sessions, viz., October 1832, and January, April, July and October 1833.

T. X. No. 1.—List of the Police Office for the Borough of Liverpool, with the Weekly Routine Card of the Magistrate's Duty for the Borough and Dock Police Office.

No. 2.—List of the Borough Magistrates, with the dates of their several Appointments and Place of their Residence.

No. 3.—Return of the Constabulary Force of the Corporation, with their respective salaries and rates of Pay.

T. XI. No. 1.—Regulations for the Borough Gaol, made on the 28th of August 1827, confirmed by the Judges of Assizes 21st May 1828.

T. XIII. No. 1.—Blank Form of a Corporation Bond.

No. 2. Summary of Amounts borrowed on Bond, with the Rates of Interest, and Terms for which advanced.

No. 3.—Statement of Bond Debt, showing the Proportion held by Members of the Common Council.—[inserted in Report.]

No. 4.—Bonds and Assignments held by Members of Council.

No. 5.—Corporation Balance Account in the Mayoralty of Samuel Sandbach, Esq., 18th October 1833.—[Inserted in Report, p. 31.]

No. 6.—Table of Fines taken on renewal of Leases for 75 years, when part of the Term is expired.

No. 7.—Rules, Orders and Bye-laws for regulations of the Markets; 6th August 1831.

No. 8.—Form and Covenants of Corporation Lease for 75 years.

No. 9.—Form of Certificate required for granting such Leases.

No. 10.—Ditto - ditto - ditto for Leases for Lives.

No. 11.—Rates, Bye-laws, Rules and Regulations for the Graving Dock of the Corporation; 5th September 1821.

No. 12.—Rents of the Corporation received in the year 1832, and Average Receipt for seven years.

No. 13.—Ditto - ditto (continued.)

No. 14.—Statement of the several Items of Expenditure of the Corporation during the seven Years ending 18th October 1832.

Town's Dues (continued from T. II.)

No. 15.—Orders of Common Council of 5th of January 1825 and 2d December 1829, regulating the Dues.

No. 16.—Tables of Rates for levying Town's Dues, 1827.

No. 17.—Account of Receipts for Town's Dues for 100 years.

No. 18.—Copy, Protest of Welch and Hudson, Free Burgesses of Lancaster, against payment of Town's Dues in Liverpool, 25th June 1831.

No. 19.—Account of Town's Dues paid by Bolton, Ogden & Co.

No. 20.—Account of *ad valorem* Duty on certain articles.

No. 21.—Account of Corporate Income from Town's Dues relatively to that derived from other sources, with some particulars of Expenditure.

No. 22.—Note of the Evidence of Mr. Thomas Corrie upon the Trial of Mayor, &c. of Liverpool *v.* Bolton & Co., Westminster Hall, 15th February 1833.

No. 23.—Note of the Evidence of John Gladstone, Esq., in same case.

No. 24.—Extracts from Evideuce of Mr. Illingworth, in same case.

No. 25.—Extracts from Evidence of Mr. Brooks, in same case.

No. 26.—Tables of Dues taken in 1674, 1790, 1802 and 1827.

No. 27 A.—Customs' Return, 5 March 1833.

No. 27.—Copy Resolution 19th November 1828 concerning the purchases of land at Wallasey Pool (inserted in Report, pp. 41, 42.)

No. 28.—Ditto - - ditto - - 6th August 1828, concerning same.

No. 29.—Ditto - - ditto - - 13th August 1828, concerning same.

No. 30.—Ditto - - ditto - - 15th September 1828, concerning same.

No. 31.—General Abstract of Purchases of Lands at Wallasey.

No. 32.—Abstract of Exchanges for School Lands at Wallasey.

No. 33.—Dates of Releases from Sir J. Tobin to Corporation.

No. 34.—Abstract of Purchases made by the Corporation from Members of the Common Council.

LIVERPOOL.

No. 35.—Abstract of Sales and Leases from the Corporation to Members of the Common Council.

No. 36.—List of Members of the Select Finance Committee.

No. 37.—Corporation Accounts, 1826–7.

No. 38.—Ditto - - - - 1830–31.

No. 39.—Ditto - - - 1831–32.

T. XIV. No. 1.—Statement of the Nature and Extent of the Patronage of the Corporation, and of the objects on which it has been bestowed.

T. XV. No. 1.—Index to the Local Acts of Liverpool.

No. 2.—Statute 10 G. IV. (Wallasey Embankment.)

No. 3.—Statute 9 G. IV. (Mrs. A. Molyneux's Charities.)

No. 4.—Statute 10 G. IV. (Indigent Blind.)

No. 5.—Statute 11 G. IV. (Liverpool Improvement.)

No. 6.—Statute 3 & 4 W. IV. (Court of Passage Amendment.)

T. XVI. No. 1.—Annual Report of the Liverpool District Society, for promoting Christian Knowledge, 1832.

No. 2.—Statement of the Rev. Jonas Brooks relative to Schools connected with the Established Church, District Provident Society, and Friendly Society.

No. 3.—Statement of Rev. Aug. Campbell, relative to same Schools, 30th November 1833.

No. 4.—Statement of Mr. Jo. King, 28th November 1833, relative to Schools of Establishment, and of Dissenters.

No. 5.—Statement of James Collins, M.D. relative to Schools of the Roman Catholics, November 1833.

No. 6.—Report of the Methodist Day and Sunday Schools, 1832.

No. 7.—Bill of Mortality for Liverpool and its vicinity, for the year 1832, and Mr. Rosson's estimate of the Roman Catholic Population.

No. 8.—Assessments on the Parish of Liverpool, for the year 1833, and Mr. Forward's statement of Population.

No. 9.—Classification of Assessments, 1830–1–2–3; also Population from 1700 to 1831, and number of Dwelling Houses in 1811, 1821, and 1831. (Part inserted in Report.)

No. 10.—Account of Irish Poor passed from Liverpool to Ireland, at the expense of the County of Lancaster, from 1824 to 1831, distinguishing those passed from Liverpool, Lancaster, and other Counties.

No. 11.—Report of Churchwardens and Select Vestry, respecting the state of the Workhouse, 1832–3.

No. 12.—Printed Statement of Thomas Smith, respecting the management of the Workhouse.

No. 13.—Account current of Commissioners of Watch, Scavengers and Lamps from 29th September 1832 to 30th September 1833.

No. 14.—Return of number of Public Houses in Liverpool.

No. 15.—Return of number of Licenses for Beer-shops, granted from 31st October 1832 to 31st October 1833.

No. 16.—Report respecting the Merchant Seamen's Hospital, for the year 1832.

No. 17.—Increase of Revenue from the Customs at Liverpool, from 1733 to 1832, inclusive.

No. 18.—Report of Directors of Mechanics' Institute, 1833.

No. 19.—Rules, Catalogue, &c. of ditto, 1833.

No. 20.—Speech of a Member of ditto, at Philomathic Society.

GENERALLY.

No. 1.—Printed Report of the Liverpool Inquiry of the Municipal Commissioners, by Egerton Smith & Co.

No. 2.—Forty Letters from various Individuals, on matters relating to the Commission.

No. 3.—Twenty-three Letters and Documents, without signature, containing Suggestions relating to same.

67

REPORT

ON

THE TRUST OF THE LIVERPOOL DOCK ESTATE,

(LANCASTER.)

CONTENTS.

	Page
PRELIMINARY OBSERVATIONS	2747
Protest of Dock Committee	2747
Constitution and Objects of the Trust	2747
8 Ann, c. 12. (Old Dock.)	2747
Recitals	2747
Power to make a Wet Dock	2748
Duties to be levied	2748
Creation of the Trust	2748
Appointment of Collectors and Officers	2748
Commissioners for Inspection of Accounts	2748
Power to raise Money by Mortgage of Rates	2749
3 G. I. c. 1. Pr.	2749
Recitals	2749
Continuation of Dock Duties	2749
Power to raise Money on Mortgage of Rates	2749
11 G. II. c. 32. (Salthouse Dock.)	2749
Recitals	2749
Power to raise Money by Mortgage, &c.	2749
Commissioners for Inspection of Accounts	2749
Power to purchase Lands in Lease	2749
2 G. III. c. 86. (George's Dock.)	2749
Recitals	2749
Power to make a new Wet Dock, &c.	2749
Power to raise Money by Mortgage, &c.	2749
Power to purchase Lands for Lighthouses	2749
Power to appoint Officers for Lighthouses	2749
Lighthouse Duties and Mortgage of same	2749
Power to make Bye-Laws	2749
25 G. III. c. 15. (King's and Queen's Docks.)	2749
Recitals	2749
Power to make two new Wet Docks, &c.	2749
Continuation of Dock Duties	2749
Power to raise Money by Mortgage, &c.	2749
Application of Money	2749
Payment of one-third of Duties for ever	2749
Property of Docks vested in Trustees, &c.	2749
39 G. III. c. 59. (Prince's Dock.)	2750
Recitals	2750
Power to make two new Wet Docks, &c.	2750
Continuation of Dock Duties	2750
Power to double the Duties	2750
Power to raise Money by Mortgage, &c.	2750
Power to enclose Land West of Docks, without prejudice to Corporation	2750
Power to purchase Premises requisite for opening Avenues to Docks	2750
51 G. III. c. 143.	2750
Recitals	2750
Trustees made a Body Corporate	2750
Committee of said Trustees appointed	2751
Special Meetings convened by 7 Trustees	2751
New Duties to be levied	2751
Power to raise Money by Mortgage, &c.	2751
Purchase Money of Graving Docks to be paid to Corporation	2751
Construction of Southernmost Dock	2751
Power to purchase Strand of Mersey from Corporation	2751
Audit Commissioners to appoint Counsel, &c.	2751

CONTENTS—*continued.*

	Page
Dock-Master's Duties and Prohibitions	2751
Power to make Bye-Laws	2751
Dock Police-Office	2751
Bribery of Dock Officers	2751
Audit Commissioners, Rate-payers to elect	2751
Accounts to be laid before Parliament	2751
53 G. III. c. 156.	2751
Advance of 60,000*l.* by Treasury	2751
Floating Light	2752
59 G. III. c. 130.	2752
6 G. IV. c. 187.	2752
Recitals	2752
Constitution of present Dock Committee	2752
Appointment of new Committee	2752
Proceedings to be laid before Trustees for confirmation or rejection	2752
Power of Trustees to annul Proceedings	2752
Appointment of 13 Trustees on Committee	2752
Continuance in Office of the 13	2752
Election of Chairman and continuance	2753
Appointment of 8 Rate-payers on Committee	2753
Qualification of the 8 Rate-payers	2753
Presidency of Mayor at Elections	2753
Audit Commissioners' Powers defined	2753
Purchase of Houses, Lands and Leaseholds	2754
Graving Docks to be withheld by Corporation	2754
Power to make new Docks N. of Prince's	2754
Completion of Brunswick Dock	2754
Accommodation for Steam-Boats	2754
New Rates to be levied	2754
Power to raise Money by Assignment of Rates, &c., to complete Works—1,000,000*l.* in all	2754
Existing Bond Debt ratified	2754
9 G. IV. c. 55.	2754
Recitals	2754
Power to raise additional 200,000*l.*	2754
Bonds to rank after former Bonds	2754
9 G. IV. c. 114.	2754
11 G. IV. c. 14.	2755
Recitals	2755
Power to raise 200,000*l.* more	2755
Former Bonds to have Priority	2755
Power to subscribe to Public Charities	2755
2 W. IV. c. 14.	2755
Recitals	2755
Treasury to advance 125,000*l.*, residue of 150,000*l.* agreed to be paid to Corporation towards new Revenue Buildings	2755
Local Limits within which Trust is administered	2755
In Liverpool	2755
Toxteth Park	2755
Port of Liverpool	2755
Lighthouse Establishment	2755
Telegraph Establishment	2755
Constitution of Trust and Title of Trustees	2755
Officers	2755
List of Officers, with Salaries or Emoluments	2756
Appointment of Officers	2757
Functions of Officers—Committee	2757
Exercise of *Veto* by Trustees	2757
On 8 Oct. 1825 (Half-Tide Dock)	2757
7 Dec. 1825 (Intended N. and S. Docks)	2757
5 Apr. 1826 (Construction of 51 G. III.)	2757
5 May 1826 (Floating Bath)	2758
7 June 1826 (Deposit of Materials)	2758
7 Mar. 1827 (Property W. of Salthouse)	2758
2 Jan. 1828 (Admission of Reporters)	2758
Solicitor to the Dock Trustees	2758
Appointment	2758
Protest of Rate-payers on Committee	2759
Their Report to the body of Rate-payers	2759
Memorial of the body of Rate-payers	2759
Confirmation of Appointment by Trustees	2759
Address of Protesting Rate-payers on Committee	2760
Appointment of Predecessor of present Solicitor	2760
Dock-Masters, Bribery of	2760
Removal of the Abuse	2760
Remuneration of Dock-Masters	2761
Harbour-Master—Violation of Prohibition to trade	2761
Audit Commissioners	2761
Restriction of their Powers by 6 G. IV.	2761
Their Report to Trustees, 28 Dec. 1822	2761
Investigation of the Charges, and Result	2764
Commissioners' Report on the Inquiry	2764
Trustees' Report on the Inquiry	2764
Commissioners' 2d Report to the Trustees	2765
Taxation of the Law Charges	2765
Conclusion from these Reports, as stated in General Report to Rate-payers, 25 June 1824	2765
Proceedings on soliciting the Act 6 G. IV. c. 187.	2767
Clause 16th, restricting Powers of Audit Commissioners, and repealing 51 G. III. s. 56.	2767
Discussions with Commercial Associations	2767
Dock Police-Office	2768
Number and Classification of Prisoners for One Year	2769
Police Force	2769
Recompenses	2769
Regulations	2769
Solicitor	2769
Penalties	2769
Gaol	2769
Property	2769
Annual Statements of Accounts	2769
Analysis	2769
Comparative Receipts and Payments in ordinary for two years ending 24 June 1832 and 1833	2770
Cash borrowed on Bond for two same years	2770
Principal Money paid off for ditto	2770
Balances in hand of Treasurer, 1831-2-3	2770
Balances in hand of Bankers, 1831-2-3	2770
General Statement of Affairs	2771
Debt	2771
Interest	2771
Capital in Cash and Materials	2771
Amount of Property purchased from Corporation	2771
Total Amount of Property purchased under 6 G. IV.	2772
Graving Docks	2772
Repeal of Power to purchase Graving Docks, Nos. 2 and 3	2772
Report of Deputation from Dock Committee, 3 Oct. 1832	2773
Resolution of Ship-owners' Association, 13 May 1825	2773
Accounts, Publication of	2773
To Rate-payers	2773
To Parliament	2773
Mode of keeping Accounts	2773
General State and Progress of Port	2773
Amount of Dock Duties in each fifth Year, from 1752	2773
Grounds for Inquiry into, and alteration of, the Constitution of the Dock Trust	2774
Petition to House of Commons from Rate-payers' Committee	2774
Opinion of the late Mr. Huskisson	2776
Comments on the Nature and Object of the Trust	2777
As declared by 8 Ann	2777
As declared by 3 G. I.	2777
Right to Sides and Brinks of the Docks vested in the Corporation:—	
Under 8 Ann, s. 13.	2778
Under recent Acts	2778
Suggestions as to Working and Reform of Trust	2778
Resolution of Rate-payers' Committee, 13 Nov. 1833	2778
Evidence of Mr. William Myers	2778
Mr. Joseph Hornby	2778
Concluding Remark	2779
List of Documents relating to the Trust of the Liverpool Dock Estate	2779

LIVERPOOL DOCK ESTATE.

Preliminary Observations.

UNDER the provisions of various Acts of Parliament, the trust of the Liverpool Dock Estate is vested in the common council of that borough for the time being. The administration of the affairs, the management of the finances, the appointment of the officers, and, in short, the whole power and control over this most important trust for a period of 115 years, and down to the year 1825, were confided to that body exclusively. By an Act passed in that year, a system, professing to invest with a controlling power a committee, representative in part of the common council, and in part of the rate-payers within the borough, was introduced.

But the amended constitution, whilst it left the trust in the hands of the common council, gave them also so preponderating an influence in the committee, and such an overruling check upon their proceedings that the same body must still be considered practically the governing power in the administration of the trust.

Under these circumstances the Commissioners appointed to inquire into the municipal corporation of Liverpool felt themselves bound, in the discharge of their duties, to institute a regular investigation into the trust, pursuing the several heads of inquiry suggested in the printed notice which had been drawn up for their guidance, so far as the same was applicable to a trust thus constituted.

Upon the announcement of this intention to the secretary of the Dock Committee, a special meeting of that committee was convened, the chairman of which forwarded to the Commissioners a copy of the resolution thereupon made, to the following effect:

Protest of Dock Committee.

At a Special Meeting of the Dock Committee, November 9th, 1833,

Present,—*Charles Laurence*, Esq., Chairman, &c. &c.

A Copy of His Majesty's Commission to inquire into municipal corporations, and a request from the Commissioners in Liverpool to this committee to produce their affairs and servants before them, being read,—

Resolved, That, in the opinion of this committee, the committee of the trustees of the docks, being appointed and constituted by Act of Parliament, is not a municipal corporation, nor within the powers of the municipal corporation Commissioners.

Resolved, That, notwithstanding the opinion expressed in the above resolution, the officers of this trust be directed to attend the Commissioners, and give them all the information in their power as to the affairs of this trust.

The inquiry was then prosecuted in due course.

Constitution and Objects of the Trust, 8 Ann, c. 12. (Old Dock.)

In adverting, first, to the several Acts of Parliament relating to this subject, it is thought sufficient to notice those recitals and clauses only which illustrate the origin and constitution of the trust, define the functions and powers of the trustees and their officers, or regulate the financial affairs of the dock estate.

The objects for the promotion of which the trust was originally constituted, are disclosed in the preamble of the first Act of Parliament passed upon the subject, 8th Ann, c. 12, intituled, "An Act for making a convenient Dock or Basin at Leverpoole, for the security of all Ships trading to and from the said port of Leverpoole." The following are its recitals:

Recitals.

"Whereas the town and borough of Leverpoole, in the county palatine of Lancaster, is an ancient borough, sea-port and corporation, and is entitled and doth enjoy divers ancient franchises, rights and privileges; and for the better government thereof hath several good and laudable customs not repugnant to the laws of the realm, and hath by long experience been found to be of great importance for advancing her Majesty's services and revenue and trade in general, and for breeding and employing great numbers of skilful mariners and seamen; and the said port is and may be of great use and benefit to merchants and others trading to the northern parts of this kingdom, who by any stress of weather, and to avoid the common enemy in time of war, may be driven upon that coast; but the entries into the harbour or port having been found so dangerous and difficult that great numbers of strangers and others have frequently lost their lives, as well as ships and goods, for want of proper land-marks, buoys and other directions into the said harbour; and when such ships have entered the said port have been exposed to great dangers for want of a convenient wet-dock or basin: and whereas it is conceived to be highly necessary for the preservation, not only of merchant ships but also of her Majesty's ships of war, that a convenient wet-dock or basin should be made, and that at the entrance into the said port and harbour buoys should be placed and necessary land-marks erected for guiding and directing her Majesty's commanders of ships of war, and all other mariners and traders trading to and from the said town and port, all which will be a means greatly to encourage trade, advance her Majesty's revenues and the public good, not only of the said town and port, and the counties adjacent in particular, but of the nation in general: and whereas the mayor, aldermen, bailiffs and common council of the said borough in council assembled, in order for making the said dock or basin, have granted

LIVERPOOL DOCK ESTATE.

granted a piece of ground, containing four acres or thereabouts, parcel of the waste of and belonging to the said borough and corporation, lying in or near a certain place called the Poole, on the south side of the said town of Leverpoole, wherein such dock or basin may be made, the same to remain to and for such use and uses for ever; but forasmuch as making the said dock or basin, and the sluices and canals thereto intended to belong, and for preserving and maintaining the same (when made), will cost more than the inhabitants of the said borough and corporation can raise, and that the same cannot be effected without the aid and assistance of all trading persons to and from the same, and that the hazard and danger all ships are exposed to for want of such advantages being by this means in a great measure taken away"—Power is then given to the mayor, aldermen, bailiffs and common council of the said borough, and their successors, to make a wet-dock or basin, with wharfs, sluices and canals in and upon the aforementioned premises.

Power to make a Wet Dock.

Duties to be levied.

After providing for the payment to them of certain duties for a term of 21 years, the statute (s. 5) proceeds to enact as follows:

Creation of the Trust.

"And for the better collecting and disposing the several sums of money and duties hereby made payable, be it enacted, by the authority aforesaid, That the mayor, aldermen, bailiffs and common council of the said borough of Leverpoole for the time being, and their successors, shall be and are hereby nominated and appointed trustees for the ordering and making of bye-laws, and directing and entering into contracts, and making bargains with any workmen, artificers, masons, smiths or other persons *(bonâ fide)*, for the making and doing all and every or any part of the work or business of or about building the said dock or basin and other works in and about the same, and the maintaining, repairing, keeping, enlarging or cleansing thereof from time to time during the said term, and for the ordering and directing the collection, receipt and disposition of the said sums of money and duties which from time to time during the said term, by virtue hereof, shall be due and made payable."

Appointment of Collectors,

By s. 6, collectors of the duties are to be chosen by the mayor, aldermen, bailiffs and common council for the time being, and their successors, by writing under the common seal of the corporation; and the duties are appointed to be paid and disposed of to such persons and in such manner and proportions, as shall be mentioned in such writing.

and of other Officers.

Sect. 12, provides that the mayor, aldermen, bailiffs and common council for the time being, and their successors, may from time to time, and as often as they shall think fit, put in place, displace or remove any collector, receiver, officer, overseer, workmen or labourers that shall be employed in any work or employment in and about the said dock or basin.

Commissioners for Inspection of Accounts.

By s. 15, nine commissioners are to be appointed for inspection of accounts; three by the mayor, aldermen, bailiffs and common council of the said borough of Liverpool in common council assembled; three by the justices of the peace for the county palatine of Lancaster; and the remaining three by those of the county palatine of Chester.

Power to raise Money by Mortgage of Duties.

By s. 10, the trustees are empowered, by indenture under their common seal, to raise any sum not exceeding 6,000 *l.* upon the security of the duties granted by that Act.

Statute 3 Geo. I. c. i. Pr. Recitals.

By a statute passed in the 3d George I., reciting that the works were not near perfected, although there had been already expended in and about the said dock the sum of 11,000 *l.*, and that the money already raised by the said trustees above the sum of 6,000 *l.* appointed to be raised by the 8th Ann, c. 12, and what should be further necessary for finishing the works, could not be raised under a long tract of time: and further reciting that "the said trustees, being only part of the said corporate body, and not the corporation itself, (the burgesses of the said borough being incorporated and known by the name of mayor, bailiffs and burgesses) stand engaged and answerable in their natural and private capacities, and have no counter-security or means of raising what they stand engaged for over and above the said sum of 6,000 *l.*,"—it is enacted, at the petition of the mayor, bailiffs and burgesses, that the duties granted by 8th Ann, shall continue to be collected for a further term of 14 years after the expiration of the term of 21 years limited by the 8th Ann.

Continuation of Dock Duties.

Power to borrow Money on Mortgage of Duties.

By s. 5, the mayor, aldermen, bailiffs and common council for the time being, are empowered, by indenture or other writing under the common seal of the said borough and corporation of Liverpool, to convey and assure as well all duties under the former Act, not already conveyed, as the duties continued under this Act, as a security for any sums to be borrowed for the purposes of the Acts; limited, however, to the sum of 4,000 *l.*

Statute 11 Geo. II. c. 32, (Salthouse Dock), Recitals.

The statute 11 George II. c. 32, reciting that the said (old) dock had been perfected, and that various specified inconveniences might be prevented, and the harbour rendered more safe and commodious, in case the said dock was enlarged and a pier erected in the open harbour on the north side of the entrance into the said dock; and that the mayor, aldermen, bailiffs and common council had agreed to grant a piece of ground containing about seven acres, belonging to the corporation, adjoining to the entrance of the said dock on the north and south sides of such entrance, wherein such pier and additional dock might be made; and had agreed to advance 1,000 *l.* out of the common stock of the corporation for accomplishing so necessary and useful a work; gives power to them to enlarge or make an addition to the said wet dock, and to erect a pier accordingly.

Mortgaging Power.

By s. 3, it enlarges the power to mortgage the duties for money borrowed to the extent of 14,000 *l.*

Commissioners to inspect Accounts.

Sect. 4, provides for the appointment of 12 Commissioners, instead of nine, to inspect Accounts; four of whom are to be nominated by the said trustees, and the other eight by the

the merchants inhabiting in the town of Liverpool, and being owners or part owners of ships belonging to the port, or the major part of them; so as none of the said commissioners to be nominated by the said merchants be members of the common council at the time of such nomination. LIVERPOOL DOCK ESTATE.

By s. 12, the said trustees, therein called "the Corporation of Liverpool," are empowered to purchase certain Ground and Buildings, in lease under their common seal, for effecting these objects; and by other clauses various provisions are made for lighting the said dock, and for other salutary purposes. Power to purchase Lands and Buildings in Lease from the Corporation.

The Statute 2 George III. c. 86, reciting that the enlarging the dock and erecting the new pier had been perfected, and that the said trustees had borrowed 13,000 *l.* to enable them to complete the said works, and further reciting that the two wet docks and dry pier already constructed under the authority of the former Acts, were not sufficient for the reception of the ships and vessels resorting thereto, and for the requisite convenient despatch in lading and unlading the same; authorizes the mayor, aldermen, bailiffs and common council of the said borough and corporation of Liverpool and their successors, or the major part of them, in any common council to be assembled, to cause another new wet dock, with proper piers and other works, to be made on a piece of ground belonging to the corporation, lying at the bottom of Saint James's Street and Chapel Street, in Liverpool aforesaid, or such part thereof, or any other lands adjoining to the north or west wall of the said dry pier, which should be thought necessary on that behalf. Statute 2 Geo. III. c. 86, (George's Dock) Recitals. Power to make a new Wet Dock, Piers and other Works.

Sect. 4, gives them power to borrow 25,000 *l.*, and, by writing under their common seal, to grant, bargain, mortgage and assign, as security for the same, the duties to be levied under the former Acts or that Act, subject to the prior assignments, mortgages, bonds and other securities. Mortgaging Power.

By s. 24, they are empowered to purchase Lands for erecting Light-houses in convenient places within or near the said port. By s. 30, to erect the same. Power to purchase Lands for erection of Light-houses.

Sect. 29, empowers the mayor, aldermen, bailiffs and common council, in council assembled, to choose and appoint, by writing under their hands, a clerk and collector or collectors for levying the Light-house Duties, and such other officers as they should judge necessary to be employed under them for carrying the Act into execution; and from time to time to remove such officers, and appoint others in their stead, and to settle such fees or salaries of such clerks, collectors or other officers, as the said trustees, or the major part of them, in council assembled, shall judge reasonable and necessary. Power to appoint Officers for levying the Light-house Dues.

Sect. 31, establishes certain Light-house Duties to be taken by the trustees so soon as any four of the light-houses, or other lights, in the specified situations, should be finished. Light-house Duties.

And s. 35, empowers the trustees to borrow not exceeding 2,000 *l.*, upon Mortgage of those Light-house Duties. Mortgage of Light-house Dues.

Sect. 50, gives them, or the major part of them, in council assembled, power to make, ordain and establish Bye-laws for regulating, governing and managing the docks, piers, &c. in the amplest terms. Power to make Bye-laws.

The Statute 25 George III. c. 15, reciting that, in pursuance of the last recited act, another wet dock, with piers and other necessary works incident to the same, had been perfected; and that the said trustees, to enable them to complete and support the said works, had borrowed 22,550 *l.*; and further reciting that the three wet docks already made under the authority of the former Acts were not sufficient for the reception of the ships and vessels resorting thereto, and for the requisite convenient despatch in lading and unlading the same, and which, for want of an additional dock, and being obliged to lie in the open harbour, were exposed to the rage of tempestuous weather, and a rapid tide or current, and in imminent danger of shipwreck; empowers the mayor, aldermen, bailiffs and common council for the time being, and their successors, or the major part of them, in any common council to be assembled, to cause to be made two other wet docks, with proper piers and other works necessary to support and complete the same, on certain specified parcels of ground. Statute 25 Geo. III. c. 15, (King's Dock and Queen's Dock,) Recitals. Power to make two new Wet Docks, Piers and other Works.

By s. 3, the duties enacted to be paid by the former Acts are continued for the term of 41 years from and after the expiration of the term granted by the last recited Act of 2 George III. Continuation of Dock Duties.

By s. 4, they are empowered to borrow 70,000 *l.* by writing, &c., and subject to prior incumbrances, as in the last recited Act. Mortgaging Power.

The money so borrowed is applicable (under s. 5) to the making and maintaining the old and new docks, piers and other works, and also towards reimbursing to the corporation the purchase money of certain timber yards and other pieces of ground bought by them for the scite of the two intended docks, piers and works. Application of Money.

By s. 6, it is provided, that after the expiration of the last mentioned term of 41 years, and so long as the docks and other works shall be continued in good repair, there shall be paid to the mayor, aldermen, bailiffs and common council for the time being, one-third part of the duties, and no more. Payment of One-third of the Dock Duties for ever.

Sect. 8, vests in the said trustees the right and property of the docks, piers and other works to be erected in pursuance of that Act, and empowers them, or any two or more of them, to bring and prosecute actions and indictments for felonies and trespasses therein committed, in Property of Docks, &c. vested in Trustees, with right to sue and prosecute by that name.

LIVERPOOL DOCK ESTATE.

in and by the name and style of "the Trustees of the Docks and Harbour of Liverpool," or in the name of their receiver or treasurer, by the name of "the Receiver of and for the Docks and Harbour of Liverpool," or by the name of "the Treasurer, &c."

Statute 39 Geo. III. c. 59, (Prince's Dock), Recitals.

The Statute 39th Geo. III. c. 59, reciting the completion of all the works under the former Acts, but that, owing to the still continuing increase of the trade of the port, there was not yet sufficient dock room for the reception and protection of the ships and vessels resorting thereto; and further reciting, that the debt already incurred in making the several docks and other works, and the further very heavy expense which would attend the making of the two other docks still wanting, rendered it necessary not only that the present dock-rates and duties should be increased, but also that they should be continued for a term beyond that limited by 25 Geo. III.; empowers the mayor, aldermen, bailiffs and common council for the time being, and their successors, or the major part, &c., to cause two additional wet docks, with proper piers and other works, to be constructed in certain specified places, and under certain regulations as to time and order of construction.

Power to make two additional Wet Docks and other Works.

Continuation of Dock Duties.

Sect. 5, further extends the time for continuing to levy the duties to 31 years from and after the expiration of the period limited by the five several recited Acts.

Power to double the Duties.

Sect. 6, confers upon them the power of increasing the rates, tonnage and duties, so that the same do not exceed the double of those already granted; with a reservation of one-third thereof to the trustees, after the expiration of the 31 years, as in the former Acts.

Mortgaging Power.

By s. 7, they are authorized to raise 120,000 *l.* by mortgage of the duties.

Power to inclose Land to Westward of Docks, without prejudice to Corporation at large.

Sect. 10 of this Act furnishes an early illustration of the conflicting nature of the interests vested in the select body, as trustees of the dock estate, with those which they might be expected to represent in their character of trustees for the corporation at large. It is in the following terms:—

"Provided always, That nothing in this Act contained shall extend or be construed to extend to prohibit the mayor, aldermen, bailiffs and common council of the said borough and corporation, and their successors for the time being, their lessees, assigns or any of them, at any time or times hereafter, from inclosing any lands to the westward of the said new intended docks and piers, so as the same be done without prejudice to the same or any of them, or to the navigation of the said port, or to the harbour of Liverpool; nor to extend or be construed to extend to hinder the mayor, bailiffs and burgesses of the town of Liverpool aforesaid for the time being, and their successors, from having and enjoying, setting, demising or letting the sides and banks of the said new intended works; but that the same, and all the overplus land not made use of or necessary for the said new works, shall remain to them and their successors for ever, as the same have heretofore done, and as they have enjoyed and possessed, or ought to enjoy and possess the same."

Power to purchase Premises requisite for opening and widening Avenues to Docks.

In s. 13, and the subsequent clauses of the Act, ample provision is made to empower all persons and bodies "to treat and agree with the said mayor, aldermen, bailiffs and common council, for the absolute sale of, and to sell and convey to the mayor, bailiffs and burgesses of the said town, such houses, buildings, lands or tenements as should be adjudged necessary and convenient" for the purposes of opening and widening certain streets and quays, forming avenues and communications to and from the docks.

Statute 51 Geo. III. c. 143, Recitals.

The Statute 51 Geo. III. c. 143, reciting that the rates and duties had, under the powers of the last recited Act, been increased to double the former amount thereof, but by the great, unforeseen and unavoidable expenses which had attended the necessary repairs and maintenance of the present docks, the said rates and duties, although so increased, were inadequate to the carrying into execution the purposes of the said last recited Act, and providing such extension of dock room as was required for the accommodation of the shipping frequenting the said port; and further reciting the difficulties, obstructions, dangers and losses occasioned by the crowded state of the docks and basins; and that the southernmost of the two docks described in the said last recited Act could not be made within the period prescribed by the said Act, or within such period as the pressing and absolute necessity of more dock-room for shipping in the said port required; and that it was therefore necessary and expedient * that the other and additional dock-room thereinafter described, which could be made and completed in a much less space of time than would be absolutely requisite for making the said southernmost docks, should be made, proceeds to enact, *inter alia*, as follows —

Trustees for the Execution of the Dock Acts made a Corporate Body in that character.

Seal.

That the mayor, aldermen, bailiffs and common council of the said borough of Liverpool, and their successors, should, for the purpose of carrying all the said recited Acts and this Act into execution, and as to all acts, matters and things relating to the docks, &c. &c., be called and known by the name and style of "*The Trustees of the Liverpool Docks*," and by that name should have perpetual succession, and should for the purposes aforesaid have a common seal, and by that name, &c. sue and be sued, and have power and authority to purchase lands, &c.

Committee of the said Trustees appointed.

By s. 2, it is provided that the mayor, aldermen, bailiffs and common council, and their successors, in common council assembled, should from time to time, as to them should seem meet,

* The peculiar objects for which this Act was obtained, are more fully developed in the printed "Statement of the Liverpool Dock Trustees," November 1810. Sent with this Report.

LIVERPOOL DOCK ESTATE.

meet, nominate and appoint 21 of the members of their body, who should be and should be called *the Committee of the said Trustees*; and should also nominate and appoint the chairman and deputy chairman of such committee, which committee, or any five of them, whereof the chairman or deputy chairman should be one, should have and exercise the like powers and authorities as the said trustees could exercise by virtue of any of the said former Acts or of this Act.

Special meetings to be convened by any seven of the Trustees.

Sect. 3, provides for the convening of special meetings of the trustees by any seven of their body, upon notice in writing to the mayor and to the chairman of the said committee.

New Duties to be levied.

The Act then proceeds, in several clauses, to make provision for the imposition of new duties and for the effectual means of recovering the same.

Mortgaging Power.

By s. 22, the trustees are empowered to borrow and take up at interest, on the credit of the rates and duties by this Act granted, any sums not exceeding in the whole 600,000 *l.* In addition to which, by s. 121, they are authorized to raise, in like manner, such further sum as should be awarded by a jury, impanelled in pursuance of the provisions of the Act, for the purpose of enabling the said trustees to pay to the mayor, bailiffs and burgesses, the purchase money of certain graving docks, which, by s. 120, the trustees are empowered to purchase from the corporation.

Purchase Money of Graving Docks to be paid to Corporation.

The circumstances attending the transfer effected under this provision of the Act were made the subject of much comment upon the Municipal Inquiry, and will be noticed in the sequel.

Construction of Southernmost and other Docks.

Sect. 29 repeals the provisions of 39 Geo. III. respecting the construction of the southernmost dock, and gives the trustees power to erect it on a smaller scale.

Various other provisions follow as to the construction of the docks.

Power for Trustees to purchase from Corporation the Strand of the River Mersey, and in Toxteth Park.

By s. 37, the trustees are empowered to purchase of the corporation of Liverpool the strand of the river Mersey within the borough, or any part thereof, at such price as should be ascertained by a jury; and in like manner to contract with the owners of the strand lying within a certain part of Toxteth Park, for the purchase of such strand, and of any adjoining houses, buildings, lands or tenements.

Commissioners for inspecting Accounts to appoint Counsel, Agent or Solicitor upon Jury Trials, to ascertain value of Lands.

By s. 56, it is enacted, that the commissioners for inspecting and auditing the accounts of the said trustees, or any five or more of them, shall nominate and appoint some person or persons to act as counsel, agent or solicitor for or on behalf of the said trustees, and so as best to secure the interest of the dock estate in all proceedings before any jury for ascertaining the value of lands, tenements and hereditaments and premises to be purchased by the said trustees of the said corporation; and the expense of employing such person or persons as aforesaid shall be defrayed out of the monies raised or collected under this Act.

Repealed by 6 Geo. IV.

This salutary controlling power was taken away by the statute 6 Geo. IV. c. 187, s. 16, under circumstances which will be more particularly noticed in the sequel.

Dock Masters' Duties and Prohibitions.

Sect. 80, 81 and 82, define the duties of the Dock Masters, and s. 83 prohibits them, under the penalty of 50 *l.* for every offence, from exercising the trade, calling or employment of ship chandler, rope maker or ship carpenter, or *any business connected with the outfit of ships.* This provision was the subject of a discussion which will be hereafter noticed.

Power to make Bye-laws.

By s. 101, the trustees are empowered to constitute ordain and provide all such reasonable Bye-laws, rules and orders for the good rule and government of the said docks, &c. &c. as to them in their discretion shall seem meet, and also from time to time to repeal, alter or amend such bye-laws, &c. and to ascertain pecuniary penalties for their infringement, not exceeding 5 *l.* for one offence.

Penalties.

Dock Police Office.

Sect. 103, provides that the trustees may appropriate any part of the buildings to be erected on the scite of the old dock (which they are by this Act empowered to fill up) for the use, convenience and accommodation of the justices of the peace for the said borough, and for the general purposes of a dock police office. Various provisions follow in the same and subsequent clauses of the Act for the establishment and regulation of the dock police.

Bribery of Dock Officers.

Sect. 118, imposes a penalty of 20 *l.* for every offence on persons giving or offering bribes to any water bailiff, harbour master, dock master, constable or other officer; and the like penalty on such officers receiving bribes.

Commissioners for Inspection of Accounts.

Rate-payers admitted to elect.

Sect. 125, contains the first provision whereby the *rate payers* are admitted, *in that character*, to any participation in the control over the dock estate. It recites the before mentioned clause of 11 Geo. II. c. 32, s. 4, and provides that the merchants inhabiting in the town of Liverpool and being owners or part owners of ships belonging to the port, *and also all persons inhabiting in the said town, and either as principals or agents, paying the rates and duties, &c.*, shall yearly elect eight persons, not being members of the common council, to be eight of the twelve commissioners to inspect, audit and adjust the accounts.

Accounts of Trustees to be annually laid before Parliament.

By s. 145, it is enacted, that the trustees shall yearly lay before each House of Parliament a true account of the receipt and application of all monies received by them, and shall set forth what alteration (if any) shall have been made in any of the rates or duties, and also a report of the progress in building the docks, &c.

Statute 53 Geo. III. c. 156.

Advance of 60,000 *l.* by Treasury.

The Statute 53 Geo. III. c. 156, empowers the Lords of the Treasury to direct the Commissioners of his Majesty's Customs to advance to the said trustees 60,000 *l.*, to be applied by them to the purposes of the said recited Acts and this Act, and to be repaid as therein specified.

LIVERPOOL DOCK ESTATE.

Floating Light. Statute 59 Geo. III. c. 130.

Sect. 18, enables them to establish a Floating Light at the entrance of the port of Liverpool, and to collect certain rates and duties for defraying the expenses thereof.

The Statute 59 Geo. III. c. 130, provides merely for the alteration and improvement of the light-house erected by the trustees at the point of land called Ælynus or Hillary Point, in the Isle of Anglesea, and certain other regulations for the management of the docks.

Statute 6 Geo. IV. c. 187, Recitals.

The Statute 6 Geo. IV. c. 187, reciting that the trustees had completed many of the docks, basins and other works, directed to be established in pursuance of the said recited Acts, and had expended the monies borrowed by virtue of the said Acts in such works; but that all the works had not been completed, proceeds, in the first instance, to re-model the constitution of the Dock Committee; and as the committee so constituted continues to exercise at the present day the powers of the trust, it is thought proper to set out at length the provisions relating to this subject.

Constitution of present Dock Committee,

Former Committee to cease.

"And whereas in and by the said recited Act of the fifty-first year of the reign of his late Majesty King George the Third, the said trustees were authorized and empowered to nominate twenty-one of the members of the common council of Liverpool, to be a committee for the execution of the powers and authorities granted by such Act and the Acts therein recited: and whereas it is expedient that such powers and provisions should be repealed, and that a committee, to be elected, nominated and appointed as in this Act directed, should be formed in lieu thereof; be it therefore enacted, That from and after the second day of August next after the passing of this Act, all and every the clauses and provisions in the said recited Acts or any of them contained, relating to the appointment of the committee of the said trustees, shall be and the same are hereby repealed, and all and every the powers and authorities heretofore used and exercised by the said committee of the said trustees, under and by virtue of the said recited Act, shall absolutely cease and determine."

s. 3. Appointment of new Committee.

"And be it further enacted, That in order to carry into execution the powers and authorities by the said recited Acts and this Act vested in the said trustees, and the management and conducting of their estate and interest in the said trust, a committee of twenty-one persons, including the chairman and deputy chairman of such committee, to be called "*The Committee for the affairs of the Estate of the Trustees of the Liverpool Docks*," shall be elected, nominated and appointed by the respective bodies, and in the proportions, mode and manner hereinafter particularly mentioned and set forth; and the said committee, when duly elected, nominated and appointed, shall from time to time when and so often as shall appear requisite to the said chairman or deputy chairman, but in no case less frequently than once in each week, be summoned to meet at such times and places as shall in such summons or notice be expressed; and the said committee when so assembled, or any seven or more of them, including the chairman or deputy chairman, shall have, use and exercise exclusively all and every the powers and authorities in relation to the execution and carrying into effect the several purposes of this Act and the said recited Acts, given to and vested in the said trustees by virtue of this Act and the said recited Acts."

Powers of Committee.

s. 4. Proceedings to be entered and laid before Trustees for Confirmation or Rejection. Power of Trustees to annul the Proceedings of Committee.

"Provided always, and be it enacted, That all and every the proceedings of the committee hereinbefore mentioned shall be entered in proper books, and such books shall be laid before the said trustees assembled in the usual monthly council of the mayor, aldermen, bailiffs and common council of Liverpool, or at any special meeting of the said trustees, for confirmation or rejection thereof; but that all the proceedings, resolutions and directions of the said committee shall be final and conclusive, unless the same be annulled or made void by such trustees in common council assembled, at their next general monthly meeting subsequent to the day on which such proceedings, resolutions or directions of the said committee shall have been had or made, or at a special meeting of the said trustees, to be held within one week next after the said general monthly council day, and unless two-thirds of the said trustees or members of such common council or special meeting shall direct the same to be so annulled or made void; but no order or resolution of such committee, directing the dismissal of any officer or servant of the said trustees, shall at any time be revoked or annulled by such common council or meeting of the said trustees."

s. 5. Appointment of Thirteen of the Trustees to be on Committee.

"And be it further enacted, That thirteen of the members of the said committee of twenty-one persons, including the chairman thereof, shall be nominated and appointed by the said mayor, aldermen, bailiffs and common council, in common council assembled, by and out of their own body; and the said mayor, aldermen, bailiffs and common council, and their successors in common council assembled, shall from time to time, and at all times hereafter, in case of any vacancy by death, resignation or lawful removal of any of the said thirteen members of the said committee before the expiration of the time appointed for his retiring from such committee by virtue of the provisions of this Act, nominate and appoint another member of their own body forthwith to be a member of the said committee in lieu of, and to supply, fill up and make good such vacancy as aforesaid, so as that at all times there shall be thirteen of the members of the said committee nominated and appointed by the said mayor, aldermen, bailiffs and common council out of their own body, and which member or members so elected to supply any such vacancy, shall rank and be considered in respect of seniority in the said committee, and shall be liable to retire therefrom, as the member in whose place or stead he shall be so elected."

s. 6. Continuance in Office of the Thirteen Trustees.

"And be it further enacted, That the said mayor, aldermen, bailiffs and common council shall at the first monthly council to be holden in the month of August next after the passing of this Act, or in the event of there not being any such monthly council, at a special council

to

LIVERPOOL DOCK ESTATE.

to be called by the mayor, and which he is hereby required to call forthwith, elect, nominate and appoint the said thirteen members of their own body to be members of the said committee of twenty-one persons; and at the end or expiration of three years from the first day of meeting of the said committee, four of the members of the said committee elected, nominated and appointed by the said mayor, aldermen, bailiffs and common council (excepting the chairman of the said committee), shall retire from and go out of the said committee, which four members shall be fixed upon by ballot in the said committee, and that thereupon a new election, nomination and appointment of four members of the said common council shall be had and made by the said mayor, aldermen, bailiffs and common council at their next usual meeting, or at a special meeting of the said mayor, aldermen, bailiffs and common council to be called for that purpose, and at the end of six years from the day of the first election of members of the said committee from the said mayor, aldermen, bailiffs and common council out of the said common council, four of the eight remaining members of the said committee appointed at the first election out of the said common council, to be determined by the like ballot, shall retire from and go out of the said committee, and thereupon another election shall in like manner be had; and at the end of nine years from the day of the first election, and afterwards at the end of every succeeding three years, four members of the said committee elected out of the said common council, according to their seniority in the said committee, shall retire from and go out of the said committee, and thereupon a new election of the members of the said common council shall in like manner be regularly had and made by the said mayor, aldermen, bailiffs and common council: Provided always, that on any of the said new elections it shall be lawful for the said mayor, aldermen, bailiffs and common council, to elect all or any of the members so retiring to be again members of the said committee."

s. 7. Election of Chairman of Committee.

"And be it further enacted, That at the first meeting of the said mayor, aldermen, bailiffs and common council, for the election of the thirteen members of the said committee out of their body, one of the said thirteen members so appointed shall be chosen and elected by the said mayor, aldermen, bailiffs and common council, to be the chairman of the said committee; and such chairman shall have the custody of the common seal of the said trustees, and shall continue in office for the space of six years, and at the expiration of the said term of six years, or sooner, in case of the death, resignation or lawful removal of such chairman, the said mayor, aldermen, bailiffs and common council, shall forthwith elect, nominate and appoint one of the thirteen members of the said committee chosen out of the common council as aforesaid, to be the chairman of the said committee as aforesaid: Provided always, that any chairman shall at any such election be eligible to be again nominated and appointed chairman of the said committee, notwithstanding his having served during the period of six years as chairman of such committee."

Custody of Seal. Continuance in Office of Chairman.

s. 8. Appointment of Eight Rate-payers to be on Committee. By whom to be elected.

"And be it further enacted, That eight of the members of the said committee of twenty-one persons, shall be elected, nominated and appointed out of the body of the merchants or ship-owners of Liverpool, duly qualified according to the directions of this Act, and not otherwise, by the merchants, owners, part owners of ships, and other persons, being principals, inhabiting the town of Liverpool or the vicinity thereof, or being agents living in Liverpool or the vicinity thereof, for principals residing more than eight miles from the said town, who have paid, either as principals or agents as aforesaid, rates and duties by this Act or the said recited Act of the fifty-first year of the reign of his late Majesty King George the Third, authorized to be raised, levied and collected, to the amount of ten pounds, within one year previous to such election, nomination and appointment."

s. 9. Qualification of Rate-payers to be Members of Committee.

"Provided always, and be it enacted, That no merchant or ship-owner of Liverpool shall be eligible, or shall be elected, nominated or appointed one of the eight last mentioned members of the said committee, who shall be a member of the common council of the said borough, or who shall not be a natural born subject of the United Kingdom of Great Britain and Ireland, or a subject duly naturalized according to law, and who shall not have resided in the said town or the vicinity thereof for five years previous to the day of election, and shall not have paid rates and duties by this Act or the said recited Acts, or any of them authorized to be raised, levied and collected to the amount of fifty pounds on his individual account, or as agent for others residing not less than eight miles from Liverpool, or one hundred pounds if paid by any house of trade in Liverpool in which he may be a partner, within the year immediately preceding such election, nomination and appointment; and provided also, that every such merchant or ship-owner so elected to be a member of the said committee, who shall after such election cease to pay rates and duties for the space of twelve months, or to carry on trade or business in Liverpool aforesaid, or who shall cease to reside within the said town or the vicinity thereof, shall no longer continue to act or be considered as a member of such committee; and thereupon another election, nomination or appointment of another merchant or ship-owner shall take place, and be had in the stead of such member of the said committee ceasing to pay rates and duties as aforesaid, or to reside within or near to Liverpool aforesaid, in the manner by this Act provided in case of any other vacancy in such committee."

s. 10 *et seq.* Presidency of the Mayor at elections. Continuance of Rate-payers in office. Deputy Chairman and Chairman for the day

The tenth and five subsequent clauses provide for the presidency of the mayor at elections; for the continuance in office of the rate-payers; the retirement of four triennially by ballot, and the supply of vacancies; for the election of a deputy chairman by the committee; and of a chairman for the day in certain cases.

Powers of Audit Commissioners defined.

Sect. 16, defines the powers of the Audit Commissioners, enacting that thereafter they "shall have, use and exercise no further or other power and authority than to inspect the accounts

LIVERPOOL DOCK ESTATE.

accounts of the receipts and disbursements of the receiver of the rates and duties, by this Act and the said recited Acts authorized to be raised, levied and collected, and to ascertain the accuracy, and obtain verification of all such accounts by the examination of the said receiver, and by the inspection of all vouchers, books, papers, writings and documents relating thereto."

The peculiar circumstances under which this clause was introduced into the Act, will be noticed in the sequel.

Purchase of Houses, Lands and Leasehold Interests.

Subsequent clauses regulate the details of the office of audit commissioners, and make ample provisions for the purchase of houses, buildings, lands and tenements required for the purposes of the Act, and for enabling the common council to purchase leasehold and other interests in certain houses, buildings, lands and tenements in which they had a reversionary interest, for the like purposes.

Graving Docks, Transfer of withheld.

Sect. 50, 51 & 52, relate to a transfer of the Graving docks, which was the subject of much discussion upon the Municipal Inquiry, and will be noticed hereafter.

Power to make new Docks to the Northward of Prince's Dock.

Sect. 58, empowers the trustees to make such docks and basins, with proper entrances to the same, and also such graving and repairing docks and inclined planes or slips, for the accommodation of the trade of the said port, to the northward of Prince's dock basin in Liverpool, and the works there, of such dimensions and in such manner, with such surrounding walls and other conveniences, as to the said trustees should seem proper, upon the site denoted in the plan deposited in the office of the clerk of the peace.

Completion of Brunswick Dock.

Sect. 59, provides for the completion of the intended dock at the south end of the present docks, to be called the Brunswick Dock, according to certain terms and specifications.

Accommodation for Steam-boats.

By s. 65 & 66, provisions are made for the erection, by the trustees, of proper accommodation for Steam-boats.

New Rates and Duties imposed.

By s. 104, and the succeeding clauses, the former rates and duties are made to cease, new ones are imposed, and regulations made respecting the same.

Authority to raise Money for completion of the Works.

By Sale of Assignments of Rates or otherwise, as hereafter authorized. £.1,000,000.

Sect. 120, reciting that the trustees had borrowed at interest 644,683*l.* 19*s.* 8*d.*, all which had been appropriated to the uses and purposes of the said Acts, and that it was expedient to make further provision for the more speedy completion of the works, by the said recited Acts and this Act authorized to be made, and for the general management of the trust, provides that the trustees may, from time to time, borrow by sale by auction, in the manner and under the regulations specified in the said recited Acts, of assignments of the rates and duties, or by any other of the means in this Act provided, the further sum of 355,316*l.* 0*s.* 4*d.*, making, with the sum already raised, a total of 1,000,000*l.*

By Annuity.

Sect. 122, and the succeeding clauses, empower the trustees to raise the money by way of annuity, if they prefer it, under certain provisions as to the terms and mode of transfer.

On Bond, under their Common Seal.

Sect. 126, provides, that if the trustees do not prefer to raise the said sum by sale of assignments, or by grant of annuities, as before mentioned, they may borrow the same on security of bonds, under the common seal of the trustees.

Existing Bond Debt ratified.

Sect. 129, reciting that doubts had arisen relative to the extent of the debt authorized to be raised, but that inasmuch as all the monies borrowed had been appropriated to the purposes specified in the Act, it was expedient that such doubts should be removed:— enacts that all bonds and other securities given for the said debt so due and owing, shall be and the same are ratified and confirmed, and the same and every part thereof are declared to be binding on the said trustees, and upon the said rates and duties.

Application of Monies.

The application of the Monies to be raised under this or the recited Act is provided for by s. 130.

Statute 9 Geo. IV. c. 55, Recitals.

The statute 9 Geo. IV. c. 55, reciting that, in order to erect the additional docks, basins and other works, the trustees had purchased, by the assessment of juries and otherwise, the several houses, buildings, lands and tenements in the last recited Act mentioned; and in order to obtain the several sums of money awarded by the verdicts of such juries to be paid for the same (which sums had much exceeded the previous estimates and calculations) the said trustees had raised the whole of the monies by the said Act authorized to be borrowed; and further reciting that from the increasing trade of the port, and the great number of vessels which could not obtain accommodation in the existing docks, it was necessary that the trustees should be enabled to proceed in the most expeditious manner with the erection and completion of the additional docks and other works: empowers the trustees to raise a further sum of 200,000*l.* by the same modes, and upon the like securities specified in the last recited Act.

Power to raise additional 200,000*l.*

Bonds, &c. under this Act to rank after the former.

By s. 3, the assignments, bonds, and other securities granted under this Act, are to rank, in respect of priority of payment, after those granted by the recited Acts.

Statute 9 Geo. IV. c. 114.

The statute 9 Geo. IV. c. 114, was passed to explain and amend the 51 Geo. III. c. 143, and 6 Geo. IV. c. 187, in some particulars, and to carry into effect an agreement entered into between the trustees and the common council (themselves) acting on behalf of the corporation, which will be more fully noticed in the sequel. (See p. 14).

The

LIVERPOOL DOCK ESTATE.

Statute 11 Geo. IV. c. 14, Recitals.

The statute 11 Geo. IV. c. 14, reciting that the trustees had borrowed the whole of the monies authorized to be taken up at interest on security of the duties, and had expended, or become liable to pay, the whole amount thereof; and further reciting that the trustees had made a considerable progress in the erection of the new docks and works, but the same were not yet completed; and that it would be of the greatest service to the increasing trade of the port if the new docks could be finished in as short a time as possible; and reciting the necessity for additional powers for the improvement and regulation of the port and harbour,

Power to raise 200,000*l.* more,

enables the trustees to raise, by sale of assignments of the rates, or upon security of their bonds, or by granting annuities, a further sum not exceeding 200,000*l.* in addition to the sum of 1,200,000*l.* authorized to be raised by the former Acts, making the extent of the debt, authorized to be owing on the security of the rates and duties, at the present time 1,400,000*l.*

making Debt 1,400,000*l.*

Former Bonds, &c. to have priority.

By s. 3, priority of payment is given to the former assignments, bonds and other securities.

Power to subscribe to Public Charities.

Sect. 22, enables the trustees to subscribe to such of the public charities in Liverpool as occasionally afford medical and other relief to the persons employed by the said trustees.

Statute 2 Will. IV. c. 14, Recitals.

Custom-house and Revenue Buildings.

The statute 2 Will. IV. c. 14, reciting that the mayor, bailiffs and common council, on behalf of the mayor, bailiffs and burgesses of the town of Liverpool, in the year 1827, undertook to expend the sum of 175,000*l.* in the erection of a building which should contain accommodation for the departments of the customs, excise, post and stamp offices, upon a site offered for that purpose in part by the said corporation and in part by the trustees of the Liverpool Docks, and the commissioners of his Majesty's Treasury engaged to pay to the said corporation 150,000*l.* towards defraying such expense; and further reciting that the said buildings were in progress, and an instalment of 25,000*l.* had been paid under the authority of 1 and 2 Will. IV. c. 54;

Treasury to advance sum of 125,000*l.*, residue of 150,000*l.* agreed to be paid to Corporation towards new Revenue Buildings.

empowers the commissioners of his Majesty's Treasury to issue 125,000*l.* out of the Consolidated Fund, by instalments not exceeding 25,000*l.* in the year 1832, or in any succeeding year, until the whole of such remaining sum of 125,000*l.* shall have been paid to the said corporation for the purposes aforesaid.

Local Limits within which Dock Trust is administered in Liverpool.

The common council of Liverpool, as trustees of the Dock Estate, are in possession of a plan upon which the whole of the dock property is defined; distinguishing, by different colours, the parts where the various works have been completed; those where the works are in progress towards completion; and those where the works designed have not been yet begun.

In Toxteth Park.

It shows also that part of the dock estate lying within Toxteth Park, over which the trustees, as comprehending the body of borough magistrates, have jurisdiction by virtue of the Acts of Parliament (51 Geo. III. c. 143, s. 135, and 6 Geo. IV. c. 187, s. 138.)

Port of Liverpool.

The powers of the dock committee to collect and levy the duties, granted by the several Acts of Parliament, extend over the whole port of Liverpool, the limits of which have been already described in the report on the borough of Liverpool, under the head of the Town's Duties.

Light-house Establishment.

The Dock Act, 2 Geo. III. c. 86, s. 24, authorizes the trustees to purchase, by assessment of a jury, if needful, any parcels of lands or grounds in order to erect Lighthouses in convenient places within or near the port of Liverpool; and the statute 6 Geo. IV. c. 187, s. 72, gives them power to contract for the purchase or hire of any lands, &c., with the consent of the owners, in any situation in the counties of Chester or Lancaster, near the port of Liverpool, for the like purpose.

In pursuance of these powers, lights have been established by them at Bidston, Point Lynas, Mockbeggar, Hoylake, Hoylake Lower and Black Rock. By 2 Geo. III. s. 28, the fee simple of the lands purchased with a view to the erection of these edifices is vested in the trustees; and in most instances, the lands so purchased have already been actually appropriated to the objects specified in the Acts.

Telegraph Establishment.

Under the provisions of the Act of Parliament, 6 Geo. IV. c. 187, ss. 70 and 71, a telegraphic communication has been established by the trustees between Liverpool and Holyhead. It would seem superfluous here to state the details given respecting the effectiveness of this establishment. Its utility in promoting the commerce of the port was admitted on all hands. Attendants, with fixed salaries, are appointed to the following eleven stations: Holyhead, Garreglwyd, Point Lynas, Puffin Island, Great Ormeshead, Llysfaen, Voryd, Voel Nant, Hilbree Island, Bidston and Liverpool.

Constitution of the Trust, and Title of the Trustees.

The constitution of the trust of the Liverpool Dock Estate, and the style given to it by the Acts of Parliament, have been already shown. The general working of the constitution, resulting from the legislative provisions, will need but little comment, after its bearing and tendency in particular instances have been disclosed. Such comment is therefore reserved for the close of this report.

Officers.

The Officers of the trust (independently of the trustees, who are the common council at large; and "the committee for the affairs of the estate of the trustees of the Liverpool Docks," whose constitution and powers have been already described) will be most conveniently classed according to the several establishments of which they are respectively members. They are enumerated

LIVERPOOL DOCK ESTATE.

List of the Officers, with their Salaries or Emoluments.

enumerated in the following list, which exhibits also their salaries or emoluments, as they stood for the year 1833.

	£.	s.	d.	£.	s.	d.
Surveyor's Office.						
Surveyor	1,500	–	–			
Clerk	200	–	–			
Second Clerk	120	–	–			
Draftsman	200	–	–			
Storekeeper	80	–	–			
				2,100	–	–
Secretary's Office.						
Secretary	500	–	–			
Clerk	150	–	–			
				650	–	–
Treasurer's Office.						
Treasurer	600	–	–			
Receiver of Duties on Goods	400	–	–			
Assistant ditto	120	–	–			
Receiver of Duties on Tonnage	250	–	–			
Check Clerk	150	–	–			
Second Clerk	120	–	–			
Third Clerk	100	–	–			
Book-keeper	120	–	–			
Second Book-keeper	120	–	–			
				1,980	–	–
Receiver at Runcorn				150	–	–
Harbour and Docks.						
Harbour Master (with 200 *l.* more from corporation)	300	–	–			
(The following are *average* emoluments, the principal Dock Masters being now paid by a per centage on tonnage dues):						
Master of Prince's Dock	300	–	–			
Master of George's Dock	250	–	–			
Master of Salthouse Dock	270	–	–			
Master of Queen's Dock	330	–	–			
Master of King's Dock	280	–	–			
(The following are fixed salaries):						
Master of Canning Dock	190	–	–			
Master of Half-tide Dock	145	–	–			
Master of Clarence Dock	220	–	–			
Master of Brunswick Dock	240	–	–			
Master of Clarence Basin	80	–	–			
Superintendant of Timber Depôt	100	–	–			
Superintendant of Quays	105	–	–			
Superintendant of Dredging-machine	80	–	–			
				2,890	–	–
Auditor's Office.						
Two Special Auditors				300	–	–
Dock Police Establishment.						
Superintendant	500	–	–			
Keeper of Bridewell	120	–	–			
Four Inspectors	400	–	–			
Serjeants, Privates, &c.	7,085	–	–			
				8,105	–	–
Light-house Keepers, at						
Point Lynas	73	10	–			
Bidston	50	–	–			
Mockbeggar	40	–	–			
Hoylake	42	–	–			
Hoylake, Lower	36	10	–			
Black Rock	100	–	–			
Ditto Assistants (about)	175	–	–			
				517	–	–
Telegraph Establishment.						
Superintendant	250	–	–			
Clerk	70	–	–			
Second Clerk	50	–	–			
12 Keepers at Signal Stations	593	–	–			
				963	–	–

Dock

LIVERPOOL DOCK ESTATE.

	£.	s.	d.
Dock Gatemen, wages	3,883	—	—
Clerks of Weighing-machines, wages	156	—	—
Assistant Clerks, Foremen and Labourers, wages	15,476	—	—
Master, &c. of Floating Light, wages	967	—	—
TOTAL £.	38,137	—	—

The item for assistant clerks, foremen and labourers varies greatly, according to the works in progress. In 1831–2 it amounted to no less than 54,180*l.*, arising, possibly, from a variance also in the mode of contracting for the works.

This is the annual expenditure directly in the nature of wages paid to officers and servants of the trust, and it does not, of course, include the sums disbursed to different classes of artificers employed on the works, nor contingent payments to life-boatmen, &c., which will be noticed hereafter under the head of Expenditure.

Appointment of Officers of the Trust.

Under the statutes 8 Ann, s. 12, 2 Geo. III. s. 29, and 51 Geo. III. s. 103, the appointments of all the officers, as well of the dock police establishment as of the trust generally, were made by the common council in their character of dock trustees; and the entries wherein these appointments are recorded are headed "At a meeting of the common council." By the statute 6 Geo. IV. s. 3, all the powers and authorities of the trustees, in relation to the execution of the trust, are vested in the committee to be appointed pursuant to that Act. And by s. 4, any order of the committee directing the dismissal of any officer or servant of the said trustees is made absolute and incapable of being annulled by the common council. This is the solitary exemption from their control. The Act received the royal assent on the 27th June 1825. On the 9th August 1825 a resolution of the committee was passed, confirming in their present appointments, and at their present salaries, all the officers of the trust.

Functions of Officers. Of the Committee.

The powers and functions of the committee, under the provisions of 6 Geo. IV. c. 187, and the control over their proceedings reserved to the trustees of the dock estate, have been shown in setting out the several clauses of the Act relating to the constitution of the committee.

According to the common practice, at the end of every month the proceedings of the committee are handed, by their secretary, to the common council at their monthly meeting in the Town Hall. An entry is then made, in the ordinary course, to the following effect, in the books of the common council:

"The proceedings, resolutions and directions of the dock committee since the last council having been read,—Resolved, That the same be and they are hereby approved, ratified and confirmed."

Exercise of the *Veto* reserved to the Trustees.

But the trustees have not neglected to exercise the *veto* reserved to them by s. 4 of 6 George IV. c. 187; and it may be proper to state the particular instances in which this power has been brought to bear against the recorded judgment of the dock committee.

8th October 1825. Appropriation of Brunswick Half-tide Dock to Steam-vessels.

1. The first instance occurred in little more than three months from the passing of the Act. At a special meeting of the trustees, held 8th October 1825, for the purpose of receiving the proceedings of the committee, a resolution of the committee of 27th September, relative to the appropriation of the Brunswick half-tide dock, to the exclusive use of vessels navigated by steam, was unanimously annulled. Present, 26 of the trustees.

7th December 1825. Adoption of Plans of intended Docks North and South of the Town.

2. At a common council, held 7th December 1825, being the first Wednesday of the month, according to ancient custom, a resolution of the committee of the day previous, relative to the adoption and approval of the plans of the intended docks, &c. at the north and south ends of the town, which plan the trustees thought should be more deliberately considered, was annulled by 21 of the trustees out of 31 present.

5th April 1826. Points to be contended before Jury, as to the Construction of 51 Geo. III. s. 36.

3. At a common council held in like manner, 5th April 1826, a resolution of the committee of the 28th ultimo, "That it should be contended before the jury summoned to assess the value of the property of the corporation, required for the purposes of the docks, that so much of the scite of the intended docks and quays at the south end of the town and in Toxteth Park, as belonged to the corporation, became vested in the dock trustees, under the Act of 51 George III. s. 36; and also that the attention of counsel should be called to the directions contained in the Act of 39 George III., for valuing the land and strand at the north end of the town," was annulled by the trustees; who, in annulling the same, "begged respectfully to call the attention of the dock committee (with a view to their future proceedings) to their want of authority to direct a resolution of that description to be acted upon, previous to its having received the confirmation of the trustees of the docks, in council assembled, under the 4th section of 6 George IV.; inasmuch as such resolution tended to cancel a subsisting agreement between the trustees of the docks and the common council (themselves), which those two bodies themselves had only the power of cancelling. And the trustees regretted that such a resolution should have been passed, when the proceedings which took place between the two bodies, and which were entered in the books of the common council, in the books of the trustees of the docks, and in the books of the dock committee, demonstrated the intention of all parties as to the land to be purchased by the trustees of the docks from the corporation; and that the only equivalent to be given for the relinquishment of the old dock by the trustees, was the elongation of the Queen's Dock by the corporation."

LIVERPOOL DOCK ESTATE.

Whatever demonstration might be conveyed from the books of those co-equal and co-existent bodies, it appears that, according to the construction put upon the statute 51 George III., by counsel of the highest eminence in the profession, the land in question *was* vested in the dock committee, without any liability to make a pecuniary compensation to the trustees for it. And in order definitively to settle the dispute, it was found necessary to procure the passing of the statute 9 George IV. c. 114, (before noticed, and usually called the Purchase of Land Act,) for the purpose of compelling payment to the corporation pursuant to the alleged agreement; according to which, as subsequently established in evidence, the corporation were clearly entitled to compensation for the land in question.

9 Geo. IV. c. 114, Purchase of Land Act.

5th May 1826.

Permission to moor Floating Bath in Mersey, and directions to take opinions of Counsel.

4. At a special meeting of the trustees of the docks, held 5th May 1826, for the purpose of receiving the proceedings of the committee, a resolution of the committee of the 2d instant, relative to Mr. Coghlan being permitted to moor his Floating Bath in the river, was annulled; and the trustees proceeded to declare that, "unwilling as they were to exercise their power of annulling the resolution passed at a meeting of the dock committee on the 18th ult., directing the opinions of counsel to be taken on the constructions of the Acts of Parliament therein alluded to," they could not avoid expressing their regret that such resolution should have been passed, without the case having been previously submitted to the trustees, in order that an opportunity might have been afforded to them of perusing the same, and of suggesting any additions or alterations which they might think material."

This suggestion to a body which at least *ought* to have considered itself as representing a distinct, if not an adverse interest, is certainly rather novel, and not very modest; but when it is recollected for what a length of time the body, *from* which the proposition emanated, had been habitually dealing in a double capacity, free from any thing in the shape of control over their proceedings, the coolness with which they have recorded this curious expression of regret may cease to create surprise.

7th June 1826.

Deposit of Materials on the Strand, &c.

5. At a common council, held according to ancient custom, 7th June 1826, a resolution of the committee of 16th May, authorizing the surveyor to deposit materials on the strand beyond the extremity of the present southern works; another resolution of 23d May, authorizing the surveyor to commence excavating the rock upon the strand purchased, to the northward of the Prince's Dock Basin; and a third, of the 30th May, relative to the erection of a mortar mill at the northernmost point of the intended north works, were unanimously annulled by the trustees present, 28 in number.

6. And, by 20 out of the 28, a resolution of the committee of the 30th May, relative to inclosing the ground at the north-west end of the Prince's Dock Quay for the purposes of a dock yard, was annulled.

7th March 1827.

Relinquishment of Property West of Salthouse Dock.

7. At a common council held in like manner 7th March 1827, a resolution of the committee of 6th instant, relative to submitting to the common council the relinquishment of the interest of the corporation in the property on the west side of the Salt-house Dock, and that described in Schedule (C.) of the last Dock Act, the value of which were recently assessed by juries, without payment for the same by the dock trustees, was unanimously annulled by the trustees.

2d January 1828. Admission of a Reporter for the Liverpool Newspapers.

8. At a common council held in like manner, 2d January 1828, a resolution of the committee, of the 1st instant, for the admission of a reporter on behalf of all the editors of the Liverpool newspapers, for the purpose of reporting the proceedings of the committee, was annulled by 23 of the trustees out of 30 present.

It appears that the motion for the admission of reporters had first been introduced in the committee on the 4th December previous; when, the numbers being equal, the motion, according to the rules of the committee, was lost.

The numbers on that occasion were, in favour of the motion, five rate-payers and two common councilmen; against it five common councilmen and two rate-payers.

Upon the re-introduction of the motion on the 1st of January, there were present eleven common councilmen and all the eight rate-payers; and the motion was carried without a division.

After the resolution had been annulled by the trustees, it was moved and seconded in the committee at their next meeting on the 8th January, that the trustees should be respectfully requested to reconsider their *veto* on the resolution respecting the admission of reporters; but the previous question was moved as an amendment by one of the common council, and carried by a majority of 11 to 7. The only reason assigned upon the municipal inquiry for the change of opinion, implied in this deference to the judgment of the trustees, was one supplied by the mover of the amendment, viz. that the "committee had returned to their good sense."

Solicitor to the Dock Trustees.

As connected with the question relative to the appointment of officers under the Trust of the Dock Estate, may be considered the much-debated appointment of the Solicitor to the Dock Trustees, to which the duties of clerk to the magistrates at the Dock Office are attached. Although the solicitor is not actually a salaried officer, the appointment cannot be considered otherwise than one of the greatest importance, whether with reference to the extent and variety of the interests at stake, the peculiar nature of the constitution of the trust and of the dock committee, or the complexity of the various Acts of Parliament by which the trust is established and regulated.

Appointment.

On the 7th August 1832, the present town clerk of Liverpool resigned the office of solicitor to the dock trustees. Six candidates immediately offered themselves for the vacant station; among

among them were some of the oldest and most respectable practitioners in Liverpool; the appointment, however, was bestowed upon the junior candidate, Mr. Cornelius Bourne, a gentleman who had been admitted an attorney only two years before, but who possessed the recommendation that his father and uncle were members of the common council, and both aldermen. LIVERPOOL DOCK ESTATE.

Against this appointment six of the rate-payers upon the dock committee, on the 21st of August 1832, entered their protest to the following effect: Protest of Rate-payers on Committee.

"Considering the great and important trusts of this estate, embracing the expenditure of upwards of 180,000*l.* per annum, and the protection of the interest of bond creditors to the amount of more than a million:

"Considering that it is essential to the elucidation of the various Acts of Parliament regulating this trust, to the soliciting of any further Acts of Parliament, and to the discharge of the duties of the committee, that an efficient legal adviser should act on behalf of this estate:

"Considering that Mr. Cornelius Bourne, who is personally unknown to all of us, and was not recommended by any testimonials, must, from his youth and short standing in business, be necessarily less equal to those duties than the other candidates for the situation:

"Considering also that it is for the well-being and good government of this estate, that all officers, but particularly the solicitor, should be free from connexion with, and from suspicion of the influence of the common council, and believing that Mr. Cornelius Bourne owes his appointment more to personal favour than to merit:

"Conceiving therefore such election to be not only in itself disadvantageous to the estate, but, as a precedent, highly dangerous in its consequences:

"We, the undersigned, being six of the members of the dock committee, appointed by the rate-payers, do for the foregoing reasons protest against the appointment of Mr. Cornelius Bourne. And we require this our protest to be entered on the minutes of the committee, that the same may come before the trustees at their next meeting for their consideration and decision."

The same six members of the committee, on the 25th August, reported their proceedings to the body of rate-payers in the following terms:

"Gentlemen,—We beg to communicate to you the course which, as representatives, we have felt it incumbent on us to adopt on the recent occasion of the election of a solicitor to the dock estate. Report of the protesting Members of the Committee to the Body of Rate-payers.

The resignation by Mr. Thomas Foster of the situation of solicitor to this estate, was notified by him to the committee on the 7th instant, on which offers to fill up the vacancy were made by Mr. Peter Wright, Mr. Thompson, Mr. J. North, Mr. Watson, Mr. Broobe and Mr. Cornelius Bourne, and a majority of the committee having decided to proceed immediately to an election, Mr. Cornelius Bourne was appointed; seven of the members of the common council present, and one appointed by the rate-payers voting on the third division for Mr. Bourne; and two from the common council, and four from the rate-payers, for Mr. North.

Against this appointment we have, for the reasons therein set forth, thought it our duty to present to the committee our protest, which has been recorded on the proceedings. A copy of this protest we subjoin.

It therefore remains with you to adopt any measures, or otherwise as you may think proper, on a proceeding which, in our opinion, deeply involves the independence and interests of the dock estate."

On the 29th August, the following memorial, signed by 143 of the most considerable rate payers in the town, was presented to the common council. Memorial of Body of Rate-payers.

"Sheweth,—That your memorialists have seen a protest, signed by six out of eight of their representatives in the committee for the management of the dock estate, against the appointment of Mr. Cornelius Bourne as solicitor to the trust.

That in the whole of the proceedings set forth in the protest above mentioned, your memorialists cordially concur, but most particularly do they approve of that reason against Mr. Bourne's appointment, which is founded on that gentleman's youth and inexperience.

Your memorialists most emphatically wish to impress on the minds of the common council the strong sense they entertain of the impolicy of filling up vacancies in important situations in this town from considerations of favour and affection, and not from a conviction of the eligibility of the candidate; and therefore venture to urge upon you the propriety of not confirming the appointment of Mr. Cornelius Bourne; being aware that, in the event of the common council not assembling on the 5th September, the appointment of Mr. Bourne will, by the provisions of the Act, be tacitly confirmed, your memorialists respectfully request in such case, the worshipful the mayor, into whose hands this memorial will be placed, will transmit this document to the chairman of the dock committee, in order to afford that body an opportunity of revising their appointment of Mr. Bourne, and of electing a solicitor whom age and professional experience may qualify to secure the confidence of the public, and afford a reasonable expectation that the duties so important may be efficiently discharged."

Notwithstanding these intercessions, however, of the rate-payers, the trustees, on the 8th September, passed the following resolution:

"At a special meeting of the trustees of the Liverpool Docks, held the 8th day of September 1832, Confirmation of Appointment by Trustees.

Present,—Samuel Sandbach, Esquire, Mayor, &c. &c.

The proceedings, resolutions and directions of the dock committee since the last council having been read, and a memorial from certain rate-payers of dock dues, against the appointment of Mr. Cornelius Bourne, as solicitor to the dock trustees, having been submitted by the mayor and read,

Resolved,

LIVERPOOL DOCK ESTATE.

Resolved,—That the said proceedings, resolutions, and directions of the dock committee since the last council be and they are hereby approved, ratified and confirmed."

On the 14th September the protesting rate-payers on the dock committee circulated the following address among the constituent body of rate-payers in Liverpool:

Address of protesting Rate-payers on Committee.

" To the Rate-payers to the Liverpool Dock Estate.

"Gentlemen,—The trustees of the docks in common council assembled, having sanctioned the appointment of Mr. Cornelius Bourne, as solicitor to the estate, we are obliged, however reluctantly, again to address you.

The confirmation of an election which has been condemned by most persons, and which no one individually has attempted to justify, has shown that your estate, notwithstanding that constitution which it cost you so much to obtain, and which it was expected would practically correct the evils sought to be redressed by the separation of the two estates, continues virtually as much in the power of the common council as before those efforts were made; whilst the representation given to you in the committee, ineffectual as it has proved for your benefit, exonerates the trustees from the responsibility of its management.

From a constant and zealous attention to the duties of our appointment we do not shrink; but to be the members of a body through whom the common council are to engraft their connexions on this estate, and virtually to incorporate it with that of which they have the exclusive control, and with which its views and interests are often at variance and in collision, to obtain only the shadow of direction, and to be responsible for measures which cannot be prevented, is a place in which you ought not to allow your representatives to stand.

The remedy for the evil is with you, and you only; an application to Parliament by yourselves from whom the income of the estate is derived, to correct the constitution in such a manner as to relieve your representatives from their present position of responsibility without power, will, we feel assured, receive from the legislature that attention which so reasonable a proposition would merit.

Our inclination would be to resign a situation which, however honourable the appointment, has not been satisfactory, and has now become irksome to us. But before doing so, we have thought it right to submit our views to your consideration, in order that you may decide whether this, or what course should be adopted, to enable your representatives to discharge their trust with satisfaction to themselves and with advantage to you."

Appointment of Predecessor of present Solicitor.

These proceedings led to the presentation of a petition to Parliament, praying for the alteration of the constitution of the Dock Trust, which will be more particularly noticed hereafter upon other points. It may suffice here to state, that in that petition an additional ground of complaint was made of the circumstances under which the predecessor of the present solicitor to the trustees continued, for a series of years, to retain the office. This complaint was conveyed in the following terms:

" That with regard to the exercise of the patronage by the Dock Committee, under the Act of 1825, your petitioners beg leave to mention two instances. The late solicitor of the Docks, being elected a member of the common council, a motion was made in the Dock Committee on the ground of his oath, as a member of the common council, binding him to support the interests of that body, that it was expedient he should resign the situation of solicitor to the Dock Trust. But this motion was lost by a majority, consisting of eight councilmen and one rate-payer; and accordingly he continued to act for several years as the legal adviser of the Dock estate (though at the same time a member of the common council, whose interests are so often opposed) until recently appointed by the council to the office of town clerk."

" That the solicitorship to the Docks is the first important office which has become vacant under the new constitution; and considering that the appointment involves the interest of the merchants and ship-owners, from whom alone the large income of 180,000*l.* per annum is derived, and of creditors for more than a million; both the rate-payers and the creditors had a right to expect that the most efficient legal adviser should be selected. The son of one of the members of the common council (related to several members of that body) was, however, appointed; though he had only very recently been admitted an attorney."

Bribery of Dock Masters.

In the course of the Municipal Inquiry at Liverpool a mass of evidence was adduced upon the subject of the bribery of the Dock-Masters, or (in the softened description of one of the witnesses), the " presents given in former times, habitually, by most of the merchants and ship-owners to the dock-masters, " in consideration of finding berths for their vessels."

Much of this evidence was of a mere personal nature, and had reference to the particular quarters in which these practices had been most prevalent.

Of the great extent to which they were carried (although it might not amount to universality), no doubt could remain from the testimony of many ship-owners of the oldest standing in Liverpool, as well as from the admissions of the dock-masters themselves.

Indeed, according to the evidence of a highly respectable merchant, it is not many years since the master of a foreign vessel placed in his hands a bill, made out by a very extensive broker, for port charges, as well as other disbursements, in which there was a printed item of charge for the dock-master and another for the dock-gatemen, with the amounts payable set opposite to them. Upon a representation made to the broker of this shameful disclosure of the system, he said he would take care that his bills should be printed without those charges in future, but asserted the frequent necessity for paying such fees.

Removal of the Abuse.

This abuse is now stated to have almost, if not entirely, disappeared; one reason assigned for which was, the altered constitution of the Dock Committee, under 6 Geo. IV.; and another

another, the change made in the mode of remunerating the dock-masters in general for their services. LIVERPOOL DOCK ESTATE.

Previous to the year 1827 they had been paid by fixed salaries of about 150*l.* per annum each, which were represented to be inadequate to the proper maintenance of them and their families. On the 6th March 1827 the committee passed the following resolution:— Remuneration of Dock Masters.

"At a Meeting of the Dock Committee, 6th March 1827;

Present,—Henry Blundell Hollinshead, Esq., Chairman, &c. &c.

The general committee having determined to abandon the present mode of paying the dock-masters, and in lieu thereof to adopt a scale of remuneration according to the extent of business done in their respective docks;

Resolved, That the following scale be recommended for such remuneration; viz.—

The master of the Prince's Dock to be paid at the rate of one-fourth of a penny per ton; the master of the King's, Queen's, George's and the Salthouse docks to be paid at the rate of three-eighths of a penny per ton for all vessels loading or discharging in their respective docks; that the master of the Dry dock be paid a salary of 150*l.* per annum; and the master of the Half-tide dock a salary of 105*l.* per annum, until it is ascertained, by experience, what work is done in those docks; and that an allowance of 40*l.* per annum be made to each of the dock-masters not provided with houses in lieu of house-rent."

It seems not improbable, however, that the increase of dock accommodation and the diminution of the rate of the profits on shipping, may have assisted materially in exploding the system of bribery.

Considerable discussion also took place respecting a violation by the harbour-master of a resolution of the dock committee, dated 2d January 1827, to the following effect: Harbour-Master's Violation of Prohibition to Trade.

"At a Meeting of the Dock Committee, 2d January 1827;

Present,—Henry Blundell Hollinshead, Esq., Chairman, &c. &c.

EXTRACT from the duties to be required from the harbour-master:

He must devote the whole of his time to the duties of his office, and enter into an engagement, under a penalty of 500*l.*, not to be concerned, directly or indirectly, as owner of any ship, vessel or river craft, or in any business or profession, trade or calling, or to undertake any other office or employment whatever without the express permission of this committee, to be signified under the hand of the chairman."

It appears that, notwithstanding this order, the harbour-master had continued to employ steam-vessels for his own benefit, and complaints had been made of his having neglected the duties of his office in the placing of buoys and otherwise. In consequence of these complaints, in August 1831 his attention was particularly directed, by an official letter from the sub-committee, to the foregoing resolution. To this remonstrance he returned a most disrespectful answer, but subsequently apologized, and was directed by the committee to get rid of his steam-boats. Various delays and difficulties, however, having been thrown in the way of his compliance with their orders, the matter was again brought under the consideration of the committee by one of the rate-paying members, but in consequence (as was stated) of the harbour-master's influence with the common council, who desired to screen him as an old servant, the rate-payers were defeated in committee, and no redress was obtained. On the 11th September 1832, a motion was made by one of the common council in the committee, that the harbour-master should be allowed to employ one of his steam-vessels on the Welsh station, on condition of his disposing of those in the Mersey. After a long discussion, this resolution was passed by a majority of five common councilmen against four rate-payers. It was in evidence, that various propositions on this head were withheld by the rate-payers from being put to the vote merely because the feeling of the majority, constituted by the council, in favour of the harbour-master was notorious, and that he had openly expressed his confidence in that majority.

This was assigned as a reason why the affairs of the dock estate ought to be intrusted to a committee more strictly representing the whole body of merchants, so that the negligence and contumacy of any of their servants might not be upheld and vindicated in the committee.

It is to be borne in mind that the harbour-master receives from the common council, as ruling body of the corporation, a salary distinct from and nearly equal to that which he gets from them in their character of trustees of the dock estate.

The most important and instructive matter, however, in connexion with the appointment of the officers of the dock trust, is that which involves the circumstances under which the powers of the audit commissioners were restricted by s. 16 of 6 Geo. IV., as noticed at p. 9. Audit Commissioners, restriction of their Powers by 6 Geo. IV. s. 16.

These circumstances are detailed at length in a pamphlet sent with my Report, entitled, "Report to the Dock Rate-payers of Liverpool, by the Commissioners appointed to inspect, audit and adjust the Accounts of the Liverpool Dock Estate," for the year 1823–1824. It must suffice to state here such parts only of that document as are strictly requisite for the right comprehension of the question.

On the 28th December 1822, the eight audit commissioners, nominated by the merchants, ship-owners and rate-payers, under 11 Geo. II. s. 4, and 51 Geo. III. s. 125, communicated to the dock trustees the following Report: Their Report to the Trustees, 28th Dec. 1822.

LIVERPOOL DOCK ESTATE.

" To the Mayor, Aldermen, Bailiffs and Common Council, Trustees of the Liverpool Docks.

" Gentlemen,—We, the undersigned commissioners, appointed to 'audit, inspect and adjust' the Dock Accounts, beg to submit to you the following report of our proceedings to this time.

Since the appointment of the commissioners, they have proceeded with the examination of the books and accounts, from the 25th June, the commencement of the present year, to this period; and we have much pleasure in stating, that the books are closely posted, and the accounts are kept with a neatness and regularity, which reflect credit upon the treasurer and his assistants.

But in looking through the various accounts of expenditure, it is with concern we find, that we cannot report favourably of them, either as respects the charges in many of the bills of parcels for materials furnished for the works, or of the check and control which are kept over some of the most important items. No articles are provided by public contract, and almost all seem to be charged at extreme prices; but our investigation so far having been directed more particularly to the law expenses, to the lead and iron accounts, and to the manner in which stone and limestone are provided, we purpose confining the present report to these branches of the accounts.

Law Expenses.—The bill for law expenses was amongst the first that attracted our notice, and in our judgment, appears to be excessive, considering that your solicitor derives a considerable annual income in salary, and fees on summonses and prosecutions, from his appointment, which received little interruption, whilst absent on the affairs of the Dock Estate. The charges which engaged our particular attention were those of three guineas per day, for twelve days' absence in London, with ten guineas for clerk's services there, and 59*l.* 10*s.* for expenses, making together 107*l.* 10*s.* besides sundry sums, amounting to 25*l.* 5*s.* 2*d.* for attendance upon persons in London. The sum of 8*l.*, charged for altering forty sets of the Bill prepared in the last Session of Parliament, and 16*l.* for making forty sets of additional clauses (independent of the expense of drawing) appear particularly high, inasmuch as the latter might have been printed for 26*s.*; and the whole Bill, including these clauses, reprinted at the expense of 8*l.* These remarks will not, we hope, be considered trifling, when we state the sum paid for law charges in the last ten years amounts to 6,950*l.*

Lead.—Only one bill for this article, amounting to 82*l.* 11*s.* 4*d.* furnished by Mr. Troutbeck, has yet come before us. The prices charged are 25*s.* 6*d.* and 24*s.* 6*d.* per 112lb. at periods when the lead merchants and manufacturers were selling the same commodity at 24*s.* and 22*s.* 6*d.* per 120lb., being a difference of fully 15 per cent. It has been urged in explanation, that being an article likely to be stolen by the workmen, it was advisable to purchase it in small quantities, and take it away as wanted; but we find on application to lead merchants and manufacturers, that it is not unusual with them to sell to an individual a draft, containing 7 cwt., which might be taken away as required; so that for an ideal advantage in security, a much higher price has been paid than was requisite. The quantity furnished was upwards of three tons in the space of two months.

Iron.—The various articles of iron works are supplied almost exclusively by Messrs. Thomas Dove & Co., Messrs. Strong & Co., and Mr. T. C. Molyneux. Every description of this work we find to be charged at extravagant prices. It is in evidence before us, from a very respectable person well acquainted with the iron trade, that screw-bolts, iron straps, chains, lewises and square bars, are charged from 30 to 80 per cent. above the prices at which they might be obtained of the best quality; that mushrooms, at 7*d.* per lb., with 30*s.* each for turning, are exorbitant; and he has no doubt but that screw-bolts, which are charged 8*d.* per lb. might be contracted for at 5*d.* per lb. to be made of the best materials, and of the best workmanship. In confirmation of this opinion, we beg to refer to the accompanying paper, marked A,* containing extracts from letters from manufacturers of respectability in the country; and we have in addition to observe, that we are informed, that one of the concerns before mentioned, has had screw-bolts of small sizes made for them at 5*d.* per lb. The amount paid for iron work in the las six years has been upwards of 40,000*l.* of which about 16,000*l.* has been paid to Messrs. T. Dove & Co., 9,500*l.* to Messrs. Strong & Co., and 5,500*l.* to Mr. Molyneux.

Stone.—This material, forming the most important part of the expenditure, has engaged our particular attention. We find that a contract entered into, upon public notice, was taken in September 1815, at 6*d.* per foot for stones of small, and 6½*d.* for those of large dimensions, and that this contract was at the end of three years extended, without application to the public, at the same prices, for five years, terminating in August next. The contract has not been before us; but we feel it our duty to call your attention to the manner in which the measurement of the stone is taken, and the payments settled.

The stone which is delivered to the northward of the entrance of the old dock is received by Mr. Hogg, and that to the southward by Mr. Parkinson, servants of the trustees upon weekly wages; a ticket of the number of blocks in each flat, and which is not always correct, being the only document that is transmitted by the sellers, although the measurement of each flats load is taken by them for the purpose of ascertaining the wages of the workmen at the quarries. The stones are measured in the rough, on landing, to what it is estimated they will square,

* This paper contained extracts from letters to the commissioners, showing that iron work could be furnished much lower than the prices paid by the Trustees; but a new contract having since been taken at rates equally low, as stated in page 31, it is not necessary to publish it.

LIVERPOOL DOCK ESTATE.

square, by a common rule only, and allowances are made, entirely at the discretion of the measurer, for all irregularities of shape.

No check whatever takes place, and the dimensions thus acquired are given to Mr. Heyes, the office clerk, who makes out the bill of parcels, and (the calculation being first checked by Mr. Addison) transmits it to the surveyor, who certifies to its correctness, upon which payment is made by the treasurer, in conformity with an order of your committee, issued in 1814. No specification or account is rendered by the sellers, they, as well as the surveyor, being governed by your measurer's return; without meaning to impeach the integrity of either of the measurers, we are decidedly of opinion, that in the mode of measuring stone, great irregularities and mistakes may occur. It is notorious that in the computation of a solid, almost perfectly square, the nicest exactness is required to give the cubic contents correctly. How then is it possible for any person, however extensive his practice, to reduce even to reasonable accuracy, an irregular stone by a three-foot rule? To show of how much importance the smallest deviation is in computation of quantity, we beg to submit the following example:

	Ft.	In.		Ft.	In.		Ft.	In.		Ft.	In.
Measuring - -	2	0	deep,	3	0	broad,	5	0	long, contents	30	0
If measured to	2	1	- -	3	1	- -	5	1	- - -	32	8 or 8 ½ per cent. increase.
If measured to	2	2	- -	3	2	- -	5	2	long, contents	35	5 or 17 ½ per cent. increase.
If measured to	2	3	- -	3	3	- -	5	3	long, contents	38	5 or 26 per cent. increase.

In like manner, the deviation of an inch in the length and breadth, (the depth being accurate,) gives a difference of nearly 5 per cent., and a deviation of three inches in the length and breadth (the depth being accurate) a difference of 14 per cent. Considering in how loose and imperfect a manner the measurement of stone has been taken, we cannot help entertaining serious apprehensions, that great mistakes may have been committed, and chiefly to the detriment of the dock estate, the contractors having a security, (as well in the measurement at the quarries, as in the measurement after being dressed, to ascertain the mason's wages), against any important error to their prejudice; and that payments may have been made to a large amount for a greater quantity of stone than has been delivered. This apprehension induces us to suggest the propriety of having the stone works executed at the Prince's Dock measured, and an estimate of the quantity of stone used therein made by competent and impartial persons. The circumstance of its being a new and entire work, and the accounts relating to it having been kept separate, affords the means of forming an estimate, with sufficient accuracy, to detect any material error that may exist in the charge made against it.

In conclusion of what we have to offer on this head, we beg to remark, that the total sum paid for stone, since the contract entered into in September 1815, appears, by the annual printed accounts, to amount to very nearly 200,000*l.*

Limestone.—The delivery of this material for the works appears, as far as we have been able to investigate it, to be very irregular and unsatisfactory. On inspecting the bill of parcels, the great difference between the registered tonnage of the vessels bringing the stone, and the quantity charged to the dock estate, was conspicuous; upon extracting from the books the cargoes of 10 vessels lately arrived, (the particulars of which are detailed in paper B.*) we found that their aggregate tonnage was 538 tons, that the dock dues were paid upon 777 tons, short weight of 112lb. to the cwt., and the quantity paid for 1,192 tons of the same weight, being more than double the tonnage of the vessels, and a much greater quantity than we believe they could carry. Calling upon Mr. Hogg, by whom nearly all the limestone is received, for explanation, he has informed us that the quantity is computed by the contents of two tubs with which the limestone is taken from the vessels, and not by weight; that these tubs are estimated by trial, made five or six years ago, to contain 31 ½ cwt. of 120lb. to the cwt.; and that according to this measurement, the weight of the cargo of each vessel is ascertained; that the account of the number of the tubs is not always taken by himself, but often by some of the workmen, without any check on the part of the sellers, and the bill of parcels is made out by this return. Upon application to the surveyor, the present capacity of these tubs is reported to be 33 cwt. 1 qr., of 120lb. to the cwt.; but as this adds to the supposed cargoes of the vessels, and increases the difference between the registered and assumed tonnage, we are compelled to come to the conclusion, either that a great mistake has been committed in taking the account of the number of tubs in each cargo, or that a fraud has, in some way, been practised upon the trustees.

We deem it material to call your particular attention to this article, because it appears that the bills for it, as well as for stone, have been paid ever since 1814, without being previously submitted to the consideration of your committee.

These accounts embrace the whole upon which we consider it necessary at present to address you; and we regret exceedingly that they afford so much cause for remark, and ground for your investigation. We abstain from offering any general observations upon them; but we cannot close this report without submitting, with all proper deference and respect, our earnest recommendation that a more efficient system of check and control be established, and a stricter attention to economy in the expenditure of the funds be henceforward

* The aggregate quantities being stated above, it is not considered necessary to give the names of the vessels and their respective tonnage.

LIVERPOOL DOCK ESTATE.

forward paid; which the adoption of public contracts, as in other great concerns of a similar kind, would, in our judgment, essentially promote.

(signed) *George Irlam*, *John Cropper*, jun.
Charles Horsfall, *Robert Gladstone*,
William Myers, *William Ward*,
Dock Office, 28th Dec. 1822. *Thomas Leathom*, *Thomas Fletcher*."

Investigation of the Charges.

After some delays respecting the particular form in which it was expedient that these accusations should be established, the commissioners at length, in May 1823, obtained a hearing before the trustees in the town-hall, which occupied 14 days, when witnesses were produced by them in support of their allegations, and by the tradesmen of the dock trustees in justification of their own charges.

Result.

The result of the investigation, as viewed by the respective parties, was stated in the following reports:—

Commissioners Report upon Inquiry.

"The commissioners continue to be of opinion that the law bill is overcharged excessively; the charge for omissions being unwarrantable; those for the calls on persons in London improper; the travelling charges and expenses in London high; and that the commissioners propose to the trustees to have the bill taxed, or otherwise investigated.

Lead.—That the observations on this article, in the report, being admitted to be correct, further remarks upon it are unnecessary.

Iron.—The result has produced conviction in the minds of the commissioners, that the charges are not much over or above the retail prices of the town for similar articles, according to the evidence of persons who are interested in keeping up the prices charged to their own customers; but from the evidence of respectable persons who have offered to contract and give security for their supplying iron work of equal quality, it might have been had at 40 to 50 per cent. below the prices paid.

Limestone.—Our allegations have been fully proved, and a vile fraud, or an egregious blunder has been committed.

Stone.—Little more need be said than is contained in our report. All stone appears to have been received by two individuals, one of whom stands charged, as the receiver of lime stone for the Prince's Dock, with gross fraud, or gross neglect, which, in either case, casts a degree of doubt and suspicion upon all his accounts; and that an approximation might be made, by measurement of the works, as compared with the quantity of stone supplied, the commissioners have no doubt."

Trustees' Report upon Inquiry.

The special committee of the Dock Trustees reported on the 28th June 1823 as follows:—

"The committee appointed at the special meeting of the trustees of the docks, on Thursday the 13th day of February last, having been occupied in a long and laborious investigation of the matters alluded to in the report of the commissioners relative to the bill of law charges for the Act of Parliament intended to have been obtained in 1822, and also relative to the lead, iron, limestone and stone furnished to the trustees of the docks, are of opinion, from what has transpired upon such investigation, that the commissioners were fully warranted in calling the attention of the trustees to these various matters in the way in which they have done; and the committee have to submit to the trustees the following report thereon:—

1st. With regard to the Law Charges.

Mr. Thomas Foster, the dock solicitor, attended the committee, and gave explanations respecting his bill, and it is considered by the committee that, inasmuch as the charges were stated to be usual ones, such explanations were satisfactory. At the request of the commissioners, the bill has, however, been since referred to William Cross, esquire, deputy prothonotary of the county of Lancaster, and if there are any errors or overcharges in the bill, they will be rectified according to the report of that gentleman.

The committee had hoped to have been able to obtain such report previous to their meeting this day, but it has not been in their power to do so.

2dly. With regard to the Lead.

It appears upon the admission of the party himself, by whom the lead was furnished, that, in a variety of instances, the bills of parcels have been erroneously and improperly made out, with reference to the weight by which the same was sold; but the errors have been corrected, and the party has undertaken to refund the amount.*

3dly. With regard to the Iron.

The committee are of opinion that the iron furnished to the trustees has been that of the best quality, and that the work has been executed in a very substantial manner; and, considering the quality of the iron and the nature of the work, the committee do not think, from the variety of evidence adduced on this subject, that the prices charged have, in any important degree, exceeded what may be considered the trade prices of the town; but from the evidence adduced as to the article of lead, and also of iron, the committee are of opinion that had the furnishing of these articles been thrown open to the public, and paid for in cash, they would have been obtained at a lower rate.

4thly. With

* The gentleman who had furnished the lead appeared before the Municipal Commissioners to explain in what manner the miscalculations and clerical errors in his accounts had arisen. His evidence will be found in page 17 of the printed "Report on the Liverpool Corporation Inquiry," published by Egerton, Smith & Co., and sent herewith.

LIVERPOOL DOCK ESTATE.

4thly. With regard to the Limestone.

It is clearly manifest to the committee, that very gross frauds have been practised upon the trustees of the docks, not only as to the quantity charged and paid for, as having been delivered, which the vessels, according to their registered tonnage, could not possibly carry, but also, in some instances, as to the short payments of dock dues for tons actually brought; and it is also manifest to the committee, with reference to this article, that there has been very culpable neglect and misconduct on the part of some of the servants of the dock trust.

The committee earnestly recommend the recovery, if practicable, of the amount overpaid for limestone, and the adoption of proceedings against all the offenders for false entries made at the dock office, upon which the dock dues have been paid.

5thly. With regard to the Stone.

It is very satisfactory to the committee to know that it is universally admitted that the work has been executed in a very superior manner; and the committee are of opinion that the quantity of stone paid for by the dock estate has been received.

From the general result of the investigation, the committee quite concur with the commissioners in the necessity of the establishment of a more efficient system of check and control in the management of the concerns of the dock estate; and the committee also concur with the commissioners in thinking that public contracts would tend essentially to promote the execution of the various works upon more reasonable terms, and in an equally efficient and substantial manner; and the committee therefore beg to recommend to the trustees of the docks the adoption of such a change in the system of management of the dock estate, as would be the means of carrying into effect these suggestions.

The committee cannot separate without stating it as their opinion, that the thanks of the trustees of the docks are due to the commissioners, for the unremitting attention bestowed by them on the investigation of the dock accounts, and for the great assistance afforded by them throughout the whole of the recent investigation.

(signed) *Wm. Molyneux,*

Mayor and chairman of the committee."

Commissioners' Second Report to the Trustees.

On the 14th June 1824, the commissioners addressed a second report to the trustees, in which, amongst other things, they state that "the views which the trustees have, in their reply, taken of the former deliveries of limestone, and the opinion they have expressed of the gross frauds which have been committed therein, entirely accord with those of the commissioners," who therefore "learn with concern, by the minutes of the dock committee, that a resolution had been passed to abandon all proceedings at law against the supposed delinquent."

"The trustees having declined to give the commissioners any reason or ground for the abandonment of such proceedings; and it appearing to them that a most palpable and extensive fraud has been committed, they must, however unwillingly, adhere to their refusal (which they signified to the dock committee), to pass Mr. Robert's bill for limestone, amounting, with law charges, to 669*l.* 14*s.* 7*d.*, and decidedly object to such sum standing charged to the dock estate, without further explanation."

They adhere to their former opinion respecting the admeasurement of the stone employed in the docks; and advert to some facts as to the supply of the article of timber as demanding a strict scrutiny.

Upon the subject of the law charges they thus express themselves:

"Amongst the payments of the year, the commissioners think it proper to notice one of 18*l.* 11*s.* 8*d.* to the dock solicitor, awarded by Mr. Prothonotary Cross, as due according to established usage, in soliciting parliamentary bills, beyond the amount of his bill, for endeavouring to obtain a new Dock Act in 1822. It appears that deductions from the charges complained of by the late commissioners have been made to the extent of 34*l.* 0*s.* 8*d.*, and additions to others to the amount of 52*l.* 11*s.* 4*d.*, the latter arising principally on increasing the charge of 23*l.* to 50*l.* 13*s.* 4*d.* for altering 40 sets of the bills and making additional clauses. The commissioners do not question the correctness of this taxation, according to the practice in parliamentary business, but they are induced to bring this matter again before the trustees, for the purpose of noticing to them the absurd and unjust principle of allowing, in a case like the present, double charges for preparing bills in Parliament, whereby a sum of 50*l.* 13*s.* 4*d.* is granted for merely transcribing what might have been printed for 8*l.*, and of suggesting to the trustees the expediency of coming to an arrangement with their solicitor, as to his charges for time and labour, whenever he shall hereafter be engaged for them in affairs of this nature."

Taxation of Law Charges.

The sum of 12*l.* 12*s.* was paid to Mr. Prothonotary Cross for his taxation, so that the dock estate was 31*l.* 3*s.* 8*d.* out of pocket by the taxation of their solicitor's bill.

The commissioners conclude their general report to the dock rate-payers in the following terms:

Conclusion from these Reports, as

"We have now submitted to you a general outline of the proceedings of your commissioners during the last two years. It may perhaps be asked, why such mismanagement and such

LIVERPOOL DOCK ESTATE.

stated at close of General Report to the Rate-payers, 25th June 1824.

irregularities have not received investigation from the commissioners of former years? It is not for us to answer for our predecessors, but we think the general indifference of former commissioners may be traced as much to defects in the constitution of the trust, as to other causes. The duties of the commissioners, who are the only representatives of those who pay the dock-rates, are limited, according to the opinion, as before mentioned, of some of the trustees, to comparing the vouchers of payment with the cash book, and to seeing that the monies are applied to dock purposes. To these duties attempts were made to confine the commissioners last year, and it was not so much by asserting any right to greater powers, as by bringing before the trustees the matters contained in their first report, which could not be put aside without inquiry, that these commissioners were enabled to pave the way for the changes which have already taken place in the superintendence of this concern.

It is besides necessary, that seven commissioners attend before they can have legal access to the books and vouchers relating to the dock estate, and it is scarcely to be expected, that so large a proportion of the whole body would often assemble to perform a routine which merchants, in their own affairs, usually commit to confidential clerks, unless their efforts were called into action for some important object.

But if the powers of the commissioners, as the representatives of the rate-payers, are too limited and confined, those of the trustees are unquestionably too extended and unrestrained. They are self-elected, are chosen for life, and are not responsible for the expenditure of the revenue, unless gross neglect, fraud or corruption, can be proved. In the infancy of the port, when the corporation consisted almost exclusively of ship-owners and merchants, and a common interest between the corporate and dock estates was felt and acted upon, these powers might be judiciously vested in that body; but when, by the Act 39 Geo. III., the interests in these estates became in some points opposed to each other, the union of both trusts exclusively in the same persons (a small portion only of whom are rate-payers), became, in our opinion, no longer compatible with their duties to both. In proof of this opinion, it is only necessary to state, that before the passing of that Act, the corporation not only gave the waste land and strand for the sites of all the docks, but in the building of the Salt-house dock they contributed in addition, 1,000*l.* out of the corporate funds; whilst for that part of the site of Prince's-dock, consisting almost entirely of strand, which was valued under the 51st Geo. III. by a jury, before whom the trustees appeared in the double capacity of buyer and seller, the sum of 50,058*l.* 15*s.* 7*d.*, in addition to the sum of 67,406*l.* 18*s.* 7*d.* previously paid under 39 Geo. III. was awarded; and for the site of Brunswick-dock and basin, consisting chiefly of strand, the sum of 30,104*l.* 15*s.* was in like manner adjudged, making together 147,570*l.* 9*s.* 2*d.*

We do not mean to impute any blame to the juries by whom these awards were made; they doubtless gave compensation according to the evidence submitted to them; but we think the great expense of converting the strand (part of which is represented to be a deep quick-sand) into land, and the close connexion which subsists between the prosperity of the corporate estate and that of the docks, could not have been put with much force, or it might readily have been shown how clearly it was for the interest of the corporate body to have given, as heretofore, this unproductive property for the consideration of a nominal acknowledgment.

The towns' dues, for instance, which, at the time of obtaining the Act of 39 Geo. III. were only about 20,000*l.* have, by the extension of the accommodations of the port, increased to nearly 40,000*l.* per annum.

The prices paid for strand are of themselves sufficient to show the necessity of a separation of the trusts; but it must be obvious that, on other grounds, a change is required. It is inconsistent with the principles of good government, that the expenditure of a revenue collected from the public should rest with trustees who acknowledge no responsibility to that public; and that, at the same time, those who are the representatives of that public should be almost entirely destitute of control.

If this mode of administration be continued, it naturally follows that the management will relapse into its former state; the commissioners, from their limited powers, will become indifferent; and the trustees, from their permanent and irresponsible situation, supine and inactive; and it will only be upon the return of abuses like those which have for some time existed, that both bodies will again be roused into action. To prevent evils of this kind, and to place the management of the trust more in the hands of those who have a direct interest therein, whose situation shall not be permanent, and who shall, in some degree, be accountable to the rate-payers, appears to us to be a desirable and necessary object. We have, therefore, no hesitation in stating, from the practical knowledge we have acquired, that the future prosperity of the port materially depends upon a change of this kind; and, upon these grounds, we recommend to you to invite the trustees to apply for a Bill in the next Session of Parliament, to consolidate the Dock Acts; to make an alteration in the direction, so as to give to the rate-payers a more efficient control over the management of the estate than they now possess; to revise the rates, and modify such of them as bear unequally upon the trade of the port; and to give power to reduce the rates generally, within such limits as may be found practicable. We are unwilling to believe that the trustees will refuse a request at once so reasonable in itself, and so essential to the good management of the estate.

With

LIVERPOOL DOCK ESTATE.

With these observations we close our Report; our object is not so much to seek redress for the past as amendment in future; not to criminate, but to correct; and having laid before you the detail of our labours and our opinions, we have only to request that you will give them the consideration which, in your judgment, they may merit."

(Signed by the eight commissioners nominated by rate-payers.)

This General Report bears date the 25th June 1824; on the 27th June 1825, the 6th Geo. IV. c. 187, received the Royal Assent—so speedily did those of the trustees who were of opinion, "that the duties of the commissioners were limited to comparing the vouchers of payment with the cash-book, and to seeing that the monies were applied to dock purposes," succeed in persuading the legislature that *they* had taken the just and orthodox view of the question.

Proceedings on soliciting the Act 6 Geo. IV. c. 187.

It was indeed asserted, on behalf of the trustees, that this and every other clause in the Act was introduced with the privity and consent of the rate-payers in dock committee and audit commissioners, acting under the advice and direction of the late Mr. Huskisson; but, on the other hand, the members of those bodies very reasonably urged that their consent was rather in the nature of a submission; that they yielded to the introduction of this (s. 16) and other clauses, under the duress of absolute necessity for further dock accommodation; and that their true feelings and wishes were well known to the trustees to be decidedly adverse to such provisions. The testimony of Mr. William Myers, a leading merchant of Liverpool, and one of the audit commissioners who were parties to the foregoing Report, and of Mr. Robert Gladstone (chairman of several mercantile associations in Liverpool; an audit commissioner in 1822–3; and member of the dock committee, elected by the rate-payers under 6 Geo. IV.), showed that a deputation was sent to London by the merchants and other rate-payers in 1825, to watch the proceedings on the Bill in Parliament, and endeavour to obtain an efficient control over the affairs of the dock estate. Their object was to get the best terms they could. They set out by requiring a majority of 12 rate-payers to eight council on the committee; afterwards they were willing to accept an equality, composed of 10 from each body; but ultimately, were obliged to take whatever was conceded to them. In a resolution of 16th May 1825, the council intimated their intention to withdraw the Bill altogether, if their terms were not acceded to; and under the influence of this threat, which had been acted upon once already, upon the withdrawal of the Bill in 1822, the rate-payers were compelled to succumb to the pressing necessity for dock accommodation. In like manner the appointment of chairman, the repeal of the power to purchase three graving docks from the corporation by assessment of a jury, and various other points contested by the trustees (which it is needless here to enumerate), were carried against the true wishes and interests of the rate-payers.

Clause for restricting the Powers of the Audit Commissioners, repealing 51 Geo. III. s. 56.

But it was contended that, whilst the rate-payers had been dragooned into some of the provisions of the Act of 6 George IV., they had been *surreptitiously* deprived by s. 16, of the little controlling power that had been conceded to them under former Acts of Parliament.

The provision of 51 Geo. III. s. 56. whereby the audit commissioners were empowered and required to nominate some person to act as counsel, agent or solicitor, so as best to secure the interest of the dock estate in all proceedings before a jury for ascertaining the value of lands, &c. to be purchased by the trustees of the corporation, has been already noticed (p. 7).

The 16th section of 6 Geo. IV., while it professes, in the marginal abstract, to be a clause merely for "explaining the powers of commissioners," virtually repeals this provision, deprives the audit commissioners of all power to carry on those investigations, by means of which they had detected such gross abuses and lavish expenditure in the management of the dock estate, and reduces their functions to those of any mere clerk who might be called in to inspect the accounts and ascertain their accuracy by examining the receiver and his vouchers.

Some discussion arose upon the question, whether the repealing effect of this clause had been brought under the attention of the rate-payers' deputation in London before the passing of the Act.

Discussions with Commercial Associations.

The town clerk asserted that they and their solicitor were well apprized of every clause and every alteration made in the Act, and he produced several minutes of conferences between the sub-committee and the delegates of the mercantile associations upon the subject of this as well as of other clauses. It is remarkable that there is not any clue to such a provision in the printed heads of the bill, which bear the name of the town clerk, as then solicitor to the trustees. If it were at all important to decide whether the deputation was driven, or furtively drawn, into the toils, it must be admitted that after the long and unremitting discussions that had taken place between the trustees and the several commercial associations of Liverpool upon the subject of the proposed Act of Parliament, it seems hardly probable that the legal effect of any of its clauses should have escaped the observation of those astute bodies. These discussions will appear from the copies of various resolutions sent with this report. It may suffice here to state one of them, as displaying the nature and spirit of the negotiations, and the active interest taken in them by the different commercial bodies of the town.

LIVERPOOL DOCK ESTATE.

At a Special Meeting of the Trustees of the Docks, held in the Council Chamber within the Town Hall, on Wednesday, the 13th day of October 1824, for the purpose of meeting the Delegates from the various commercial associations in the town upon the subject of a new Dock Bill;

Present,—1. Charles Lawrence, Esq., Mayor.

2. George Case.
3. H. B. Hollinshead.
4. Thomas Leyland.
5. P. W. Brancker.
6. John Clarke.
7. John Bourne.
8. Samuel Staniforth.
9. Thomas Case.
10. J. B. Hollinshead.
11. Sir John Tobin.
12. Richard Bullin.
13. William Earle } Bailiffs.
14. W. W. Currie }
15. William Statham, Town Clerk.
16. Nicholas Robinson.
17. George Drinkwater.
18. John Deane Case.
19. Isaac O. Bold.
20. Thomas Littledale.
21. John Shaw Leigh.
22. Charles Pole.
23. Richard Dawson.
24. William Ripley.
25. Thomas Brancker.
26. George Irlam.
27. Henry Moss.

Present of the Delegates,—

Mr. Myers - - - - } From the West India Association.
„ Horsfall - - - - }
„ T. Fletcher - - }

„ Brown - - - - } From the American Chamber of Commerce.
„ Duncan - - - - }
„ J. A. Yates - - }

„ Hornby - - - - } From the Ship-owners' Association.
„ Shand - - - - }

„ Moore - - - - } From the Portugal, Brazil, Mexican and South American Association.
„ Grant - - - - }
„ John Cropper, jun. }

„ Hibberson - - } From the East India Association.
„ Robert Gladstone }

„ Ross - - - - From the Mediterranean Association.

Mr. Thomas Fletcher, as Chairman of the Delegates, delivered in the Proposal copied underneath, and the delegates having retired;

It was unanimously Resolved,

That the Proposal, which goes to a total alteration of the trust, is wholly inadmissible, but that the trustees will take into their early and most serious consideration the propriety of an application to Parliament for a new Bill, which shall embrace the other objects alluded to in the resolutions passed at a meeting of the delegates from the commercial associations on the 5th of October instant.

Resolved,

That the Mayor be requested to communicate the above resolution to Mr. Fletcher, and that the trustees of the docks be summoned to meet on Wednesday next the 20th instant, at 11 o'clock in the forenoon, for the purpose of considering the intended Bill.

Copy Proposal.

"*Resolved,*

1. "That at the meeting with the dock trustees on the 13th instant, the chairman of the delegates be instructed to propose that one half of the dock committee in future consist of rate-payers not being members of the council, to be elected by the rate-payers.

2. "That the dock committee so formed shall have the uncontrolled direction of the receipt and disbursements of the dock rates."

Dock Police Office.

The statute 51 Geo. III. s. 45, empowers the trustees to erect, on part of the site of the old dock, among other buildings therein specified, a Police Office; and by s. 103, provisions are made for such establishment. (*See* p. 7.)

In this office the whole of the borough magistrates, by rotation, preside. They sit daily, for an hour or more: sometimes two attend.

Under the Act, the buildings are to be erected for the general purposes of a dock police office, and also for the temporary confinement and securing of persons charged with felonies, misdemeanors or other offences committed in the port of Liverpool, or the said docks, basins, quays, slips and other works previous to and during the period of their examination before the justices.

A Statement

LIVERPOOL DOCK ESTATE.

Number and Classification of Prisoners for One Year.

A Statement of the number of Prisoners confined at this office from the 1st of August 1832 to the 31st July 1833, was produced, classed and disposed of as follows:—

Dock Police Office, Liverpool.

The Number of Prisoners confined at this Office from the 1st August 1832 to the 31st July 1833, classed and disposed of as under:—

Charged with felonies	1,182
Ditto misdemeanors	1,490
Total	2,672

Committed for trial for felony	110
Fined under the Dock Act	159
Committed to Borough Gaol for time under Dock Act	92
„ to Kirkdale, as rogues and vagabonds	62
„ „ idle and disorderly persons	48
„ for trial for stabbing police officer	1
Fined for assaults	17
„ for drunkenness	157
Held to bail to keep the peace	86
„ to appear at sessions for assaults	12
Sent to the Town Hall	216
Discharged	1,712
Total	2,672

Police Force.

The establishment of the Police consists of—

1 Superintendant.	12 Serjeants.
4 Inspectors.	138 Privates.

Recompenses.

Their salaries have been already stated (p. 12). The Act (s. 103) empowers the trustees to employ such persons in and about the office as they shall from time to time think fit, and to pay them, out of the rates and duties, such salaries, allowances and recompenses, yearly or otherwise, for their time and trouble, as to the said trustees shall seem meet and reasonable.

Regulations.

A code of general instructions for the regulation of the establishment is printed, and distributed among its members: a copy is sent with my Report.

Solicitor.

The solicitor to the trustees, as clerk to the magistrates at the Dock Police Office, receives a fixed salary of 150*l.* a year, beside the legal fees incidental to the office.

These fees, which arise principally upon informations and warrants, are the same as those taken by the clerk to the borough magistrates, and were computed to amount to about 250*l.* a year.

Penalties.

The application of the various fines and penalties imposed by the several Acts of Parliament, is defined and regulated by 51 Geo. III. s. 139, and 6 Geo. IV. s. 144 & 146. They are applicable in part to rewards and relief, administered from the Dock Charitable Fund.

Gaol.

The Gaol, called the Dock Bridewell, was built on the establishment of the police office, in 1815, out of the funds of the dock estate, and enlarged about three years ago. The entire cost, exclusive of commissioners' offices, was 5,707*l.* 9*s.* 8*d.* It is used only for the temporary confinement of prisoners previous to their commitment to the borough gaol, and never for those under sentence.

Property, Statements of, in Accounts annually published.

In the annual statements of their accounts, printed and published by the trustees of the Liverpool docks, are included the sums received as principal money borrowed on bond, on the one hand, and those paid off on the other; the money paid for property purchased under authority of 6 Geo. IV.; and also the amount of the balances in the hands of their treasurer, and of their bankers, at the commencement and end of the respective years. Of course, the sums total exhibited on the debtor and creditor sides of those accounts, greatly exceed the actual ordinary receipts and disbursements of the trustees.

Analysis.

The following analysis, extracted from the printed accounts for the two years, ending respectively on the 24th June 1832 and 1833, will show (with an approach, at least, to

LIVERPOOL DOCK ESTATE.

accuracy) the actual receipts and disbursements in those years (exclusive of the items above referred to.)

Comparative Receipts and Payments in ordinary for Two Years.

	1832. £.	s.	d.	1833. £.	s.	d.
RECEIPTS:						
Duties on tonnage	74,530	4	11	79,558	3	11
Duties on goods, foreign, inwards	60,944	1	2	64,578	6	5
coastwise, inwards	19,442	6	3	21,769	9	1
foreign, outwards	15,130	14	7	17,076	16	11
Lighthouse duties	8,491	4	1	8,903	6	2
Floating light duties	3,799	8	6	3,987	14	11
Graving dock duties	2,773	19	–	2,574	15	–
Graving block duties	1,101	1	–	1,216	10	–
TOTAL Duties £.	186,212	19	6	199,665	2	5
Extra dock rent, rent of premises and cranes, weighing machines and landing waiters, sheds, old stores, &c.	1,660	2	1	1,711	8	6
TOTAL Receipts £.	187,873	1	7	201,376	10	11
PAYMENTS:						
Interest money	46,605	9	5	55,316	11	11
Annuities	744	3	8	740	16	–
Salaries to officers and clerks	8,075	8	3	8,185	5	3
Police establishment	6,955	19	10	7,059	16	5
Lighthouse establishment	885	18	1	592	11	7
Telegraph establishment	998	15	6	1,019	18	–
Dock gatemen's wages	3,528	3	5	3,883	2	–
Floating light vessel	906	14	9	967	10	5
Watching graving docks	199	12	8	195	17	4
Wages: Clerks of weighing machines	151	8	6	156	–	–
Assistant clerks, foremen, &c.	54,180	16	–	15,476	8	4
Artificers, life-boatmen, &c.	12,918	1	7	8,338	3	8
Tradesmen, for work	7,080	7	–	1,321	13	5
Masonry	59,158	14	5	27,696	1	7
Stone	35,136	10	6	5,272	8	9
Limestone	10,511	6	1	2,808	17	3
Paving stone and bricks	4,143	15	2	1,907	19	2
Timber	10,046	8	9	2,393	18	2
Coal	3,813	7	9	1,309	19	7
Iron and ironmongery	11,153	–	–	9,079	5	3
Other goods	6,143	10	3	2,981	8	1
Law expenses	363	–	3	131	13	8
Quarrying and hewing granite	12,222	10	11	11,571	14	5
Hire of carts, boats, &c.	1,165	17	8	1,117	5	1
Rent, flats, and lighting lamps	3,503	11	–	2,122	16	7
Taxes and miscellaneous	2,953	–	2	2,030	19	8
TOTAL Payments £.	303,545	11	7	173,678	1	7

Cash borrowed on Bond for Two Years.

The amount of cash received on bonds issued by the trustees, and carried by the treasurer to their credit in account was,

In the year ending 23 June 1832	£. 90,500 –
In the year ending 24 June 1833	57,973 18

Principal Money paid off for Two Years.

The amount of principal money on bond paid off and carried to their debit in account was,

In the year ending 23 June 1832	£. 5,935
In the year ending 24 June 1833	9,065

This statement may serve to illustrate how the enormous outlay of one year, upon the great works in progress, can be met and absorbed by the powerful resources of this flourishing port, without making any perceptibly injurious impression upon the floating finances of the succeeding year.

The Balances in the hands of the treasurer were,

On the 24th June 1831	£. 1,211 5 8
On the 23d June 1832	1,578 1 6
On the 24th June 1833	613 2 10

Ditto in hand of Bankers.

In the hands of A. Heywood, Sons & Co., bankers,

On the 24th June 1831	£. 78,625 2 –
(On Brunswick Dock Account)	27,332 – 8
On the 23d June 1832	16,441 18 1
(On Jackson's Dam Account)	54,587 3 3
On the 24th June 1833	40,397 2 3

The

LIVERPOOL DOCK ESTATE. General Statement of Affairs, Debt, Interest, Capital in Cash and Materials.

The Amount of the Debt, when redeemable, and rate of interest thereon, with the available capital of the trustees, in cash and materials unexpended, will appear from the following "General Statement of the Affairs of the Trustees," on the 24th of June 1833 (such statement being published annually with their accounts).

GENERAL STATEMENT of the Affairs of the Trustees of the Liverpool Docks, 24th June 1833.

Dr. *Cr.*

		£. s. d.			£. s. d.	£. s. d.
1832: June 23	To amount of bonds and assignments, outstanding this day - - - -	1,348,756 - 11	1833: June 24	By amount of bonds and assignments paid off since 24th June last - - - - - - - - -		56,277 12 -
1833: June 24	To amount of bonds issued since 24 June last - - - -	57,973 18 -		Amount of bonds and assignments outstanding this day, viz.—		
				Bonds at 4 per cent. 230,023 19 8		
				Ditto - - - 4½ ditto 800 - -		
				Assignments 4 ditto 221,187 8 -		
				Redeemable on demand	452,011 7 8	
				Bonds - - - 4 ditto 27,800 - -		
				Ditto - - - 4¼ ditto 4,550 - -		
				Ditto - - - 4½ ditto 80,250 - -		
				Redeemable in 1834	112,600 - -	
				Ditto - - - 4 ditto 37,055 - -		
				Ditto - - - 4¼ ditto 43,635 - -		
				Ditto - - - 4½ ditto 14,800 - -		
				Redeemable in 1835	95,490 - -	
				Assignments 5 ditto 25,000 - -		
				Bonds - - - 4 ditto 164,180 - -		
				Redeemable in 1836	189,180 - -	
				Ditto - - - 4 ditto 176,350 7 -		
				Ditto - - - 4¼ ditto 69,796 14 3		
				Redeemable in 1837	246,147 1 3	
				Ditto - - - 4 ditto 12,650 - -		
				Ditto - - - 4¼ ditto 23,000 - -		
				Redeemable in 1838	35,650 - -	
				Ditto - - - 4 Redeemable in 1839	69,973 18 -	
				Ditto - - - 3½ ditto 15,000 - -		
				Ditto - - - 4 ditto 45,200 - -		
				Assignments 5 ditto 25,000 - -		
				Redeemable in 1840	85,200 - -	
				Bonds - - - 4 Redeemable in 1841	46,100 - -	
				Ditto - - - 4 Redeemable in 1842	13,100 - -	
				Ditto - - - 4 Redeemable in 1845	5,000 - -	
						1,350,452 6 11
	£.	1,406,729 18 11			£.	1,406,729 18 11
	To amount of bonds and assignments as above - - -	1,350,452 6 11		By cash in the hands of A. Heywood, Sons & Co., bankers - - - -	40,397 2 3	
				In the hands of the treasurer - - -	613 2 10	
						41,010 5 1
	Interest unclaimed -	707 9 8		By balance due in open account from the corporation of Liverpool - - - - - - - -		21,354 14 9
				Due in open account from John Orrell & Co. -		139 2 1
				Due in open account from Normington & Dyson		356 2 10
				Due in open account from Foster and Stewart -		407 15 8
				Due in open account from James Hunt - -		60 - -
	To sundry balances due to different persons - -	1,997 6 3		By amount of materials unexpended - - -		62,820 14 3
				By balance - - - - - - - - -		1,227,008 8 2
	£.	1,353,157 2 10			£.	1,353,157 2 10

The Amount of Property purchased by the trustees from the corporation alone, since 1816, has been as follows :—

Amount of Property purchased from Corporation.

	£. s. d.
In 1816, (In Broomfield Street) - - - -	1,249 19 -
(Salthouse Dock) - - - - - -	11,342 17 -
1817, (The Fort) - - - - - - -	3,975 - -
1819, (Lands and buildings, Prince's Dock) - -	83,067 13 3
1825, (Graving Docks, Nos. 4 and 5) - - -	29,800 - -
1826-7, (Property purchased under authority of Act 6 George IV. - - - - - - - -	188,203 4 4
TOTAL - - £.	317,638 13 7

Estimated value of reversionary interest in land given by the corporation, under 6 George IV. Schedule (B.) £. 21,229 - -

LIVERPOOL DOCK ESTATE.

Total Amount of Property purchased under 6 Geo. IV.

The total amount of Property purchased under the authority of the Act 6 George IV. as well from the corporation (the last item above stated) as from other persons, is exhibited in the following Table:—

STATEMENT of Cost of Property purchased under authority of Act 6th George IV.

Schedule.	From whom purchased, and Description of Property.	When purchased.	How purchased.	Amount of Purchase-money	Net Purchase. Total.	Parliamentary Estimate.
				£. s. d.	£. s. d.	£. s. d.
A.	Corporation of Liverpool – Land and strand to the northward of Prince's Dock Basin	29 Mar. 1826	By a jury	110,000 – –		
	Sundry persons – Land and dwelling-houses, partly freehold and partly leasehold	at different dates	By a jury	9,018 – –		
			Agreement or arbitration	8,766 – –		
				127,784 – –		
	Less, materials valued by dock surveyor	– – –	– – –	959 17 5	126,824 2 7	103,835 – –
B.	Sundry persons – Warehouses, dwelling-houses and land, some freehold, but the greater part leasehold, of various tenures	at different dates	By a jury	34,301 – –		
			Agreement or arbitration	57,436 – –		
				91,737 – –		
	N.B. The whole of the reversionary interest of the corporation in Schedule (B.), including some houses and land in possession, valued at 21,229*l.*, was conveyed without fine.					
	Less, materials	– – –	– – –	4,173 15 9	87,563 4 3	87,973 – –
C.	Corporation of Liverpool – Reversionary interest in the whole, and houses and lands, &c. in possession	9 Dec. 1826	By a jury	18,361 13 –		
	Various persons – Warehouses, shops, dwelling-houses and land; some freehold, and part held under leases of various tenures	at different dates	By a jury	17,520 – –		
			Agreement or arbitration	18,444 – –		
				54,325 13 –		
	Less, materials	– – –	– – –	3,194 11 7	51,131 1 5	65,415 –
D.	Corporation of Liverpool – Land with offices and buildings, used as timber-yards. Land and strand extending from South of Brunswick Basin, between high and low water, as far as wanted	29 Mar. 1826	By a jury	59,841 11 4		
	Lord Sefton – Land and strand between high and low water-mark, as far as wanted	15 June 1827	By a jury	26,423 – –		
	Representatives of Joseph Jackson – Dwelling-house, tide-mill, and other premises, held by lease from Lord Sefton, with a right of renewal	15 June 1827	By a jury	61,672 – –		
					147,941 11 4	100,672 – –
				£.	413,459 19 7	357,895 – –

These purchases, it will be observed, were effected, in a great majority of instances, by the assessment of a jury. It was stated that the juries had awarded a more liberal scale of compensation to other vendors than to the corporation. Be this as it may, it will be seen that the compensations awarded to the corporation, in general, much exceeded the Parliamentary estimates.

Repeal of Power to purchase Graving Docks Nos. 2 and 3.

The circumstances attending the proposed sale of the Graving Docks by the corporation to the trustees, gave rise to a long discussion; I shall endeavour to state the merits of the case as briefly as possible.

By the 51st Geo. III. s. 120, reciting that the graving docks were part of the corporate estate, and that it was desirable that they should be incorporated with the other docks, and be placed under the direction of the trustees of the docks; the trustees were empowered to purchase, by the intervention of a jury, all the graving or repairing docks belonging to the corporation, which were five in number. Two of them, Nos. 4 and 5, were so purchased, at the price above stated, in 1825. By the 6th Geo. IV. s. 53, (which Act was passed very soon after the sale) the power to purchase two of the three remaining graving docks (Nos. 2 and 3) was repealed; and it was imputed, that this clause had been introduced into the Act by the trustees, because they were dissatisfied with the price awarded for the other docks by the jury.

That they were so dissatisfied can admit of no doubt. The surveyor employed by the solicitor to the trustees upon the purchases in 1826, and also by the solicitor to the audit commissioners in 1825, stated, that plenty of people in Liverpool would have given 50*s.* a square yard for the area of these docks, independently of the large sum (about 40,000*l.*) expended upon them; whereas the jury, in awarding 29,800*l.* the area being 16,387 square yards, had given a bare sum of 1*l.* 16*s.* 4*d.* per square yard as a compensation. In a subsequent stage of the inquiry, it was attempted to be shown, that the motive for the retention

LIVERPOOL DOCK ESTATE.

tion of these docks was, the desire to afford accommodation for the river craft. But it was admitted that such accommodation might, with equal convenience, have been readily provided elsewhere; at all events, therefore, a temporary and qualified reservation of these docks might have effected that, had it been the sole, object.

Report of Deputation from Dock Committee, 3d Oct. 1832.

Some information of minor importance, respecting the recent use and application of them may be derived from the Report, dated 3d October 1832, of the deputation appointed by the dock committee to confer with the Select Finance Committee of the common council on the subject of the temporary repair of these docks, which the common council had threatened entirely to close, unless the dock committee were disposed to put them into a state of temporary repair, and to relieve the corporation from liability in respect of their security, until the north graving docks were completed: the corporation still receiving the rates for the use of them. This (rather too immoderate) proposal was not, however, persisted in.

The expediency of having these docks under the control of the committee is sufficiently manifested by the statute 51 Geo. III. New graving docks are now in progress, to replace them, at the north end of the town.

Resolution of Shipowners' Association, 13th May 1825.

A resolution was passed by the Shipowners' Association on the 13th May 1825, during the discussions upon the proposed Act 6 George IV. to the following effect:

"That, in the opinion of this association, the powers in the former Act, to enable the dock trustees to purchase the graving docks, should continue as they now exist: and that this resolution be communicated to the worshipful the Mayor of Liverpool, and to the committee of the Delegates of the associated mercantile bodies in Liverpool."

The resolution was accordingly communicated by letter from Mr. Leathom, the chairman of the Association; with what effect has been already shown.

Publication of Accounts to Ratepayers.

The Accounts of the trustees are annually published as soon after the audit has taken place as conveniently may be; they are printed and distributed among all such persons paying the rates as may desire the same, pursuant to the Statute 11 Geo. II. c. 32, s. 9, which imposes a penalty of 10*l.* on the treasurer in case he shall neglect or refuse to draw out and cause the said accounts to be printed annually.

To Parliament.

By 51 Geo. III. c. 143. s. 145, the trustees are required yearly to lay before each House of Parliament a true account of the receipt and application of all monies received by them; the alterations (if any) made in the rates; and a report of the progress in building the several docks and works, with the sums of money yearly expended thereon.

Mode of keeping Accounts.

According to the testimony of the audit commissioners in their report of 28th December 1822, given on an occasion when they were most disposed to be censorious, "the books are closely posted, and the accounts kept with a neatness and regularity which reflect credit upon the treasurer and his assistants."

General State and Progress of Port.

The progressive state of the port of Liverpool is abundantly illustrated in a statement published at the end of the yearly accounts, showing the "Amount of dock duties at the port of Liverpool from the year 1752, ending 24th June each year." I select, for brevity, the return presented for each fifth year down to, and inclusive of, 1833.

AMOUNT of Dock Duties at the Port of *Liverpool*.

Amount of Dock Duties in each Fifth Year from 1752.

YEAR.	NUMBER of VESSELS.	TONNAGE.	£. s. d.	£. s. d.
1753	- -	- - - - -	2,034 16 2	
1758	1,453	- - - - -	2,403 6 3	
1763	1,752	- - - - -	3,141 1 5	
1768	1,808	- - - - -	3,566 14 9	
1773	2,214	- - - - -	4,725 1 11	
1778	2,292	- - - - -	4,649 7 7	
1783	2,816	- - - - -	4,840 8 3	
1788	3,677	- - - - -	9,206 13 10	
1793	4,129	- - - - -	12,480 5 5	
1798	4,478	- - - - -	12,057 18 3	
1803	4,791	494,521 - - -	28,027 13 7	
1808	5,225	516,836 - - -	40,638 10 4	
1813	5,341	547,426 - - -	24,134 18 8	50,177 13 2
		Duties on Goods -	26,042 14 6	
1818	6,779	754,690 - - -	43,842 16 6	98,538 8 3
		Duties on Goods -	54,695 11 9	
1823	8,916	1,010,819 - - -	52,837 5 5	115,783 1 6
		Duties on Goods -	62,945 16 1	
1828	10,703	1,311,111 - - -	62,969 7 10	141,369 15 7
		Duties on Goods -	78,400 7 9	
1833	12,964	1,590,461 - - -	79,558 3 11	182,980 16 4
		Duties on Goods -	103,422 12 5	

LIVERPOOL DOCK ESTATE.
Grounds for Inquiry into and Alteration of Constitution of Dock Trust.

The various grievances and abuses disclosed in the pages of the foregoing Report led to the publication, in January 1833, of a statement of the "Grounds for an inquiry into, and an alteration of, the constitution" of the Liverpool Dock Trust. These were embodied into a petition to be presented to the House of Commons, which, as containing a brief exposition of the several reasons urged by the rate-payers in favour of their proposed reform, I deem it right to state here at length.

"To the Honourable the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled:

Petition to House of Commons from Rate-payers' Committee.

The humble Petition of the undersigned Merchants, Ship-owners and others, Rate-payers to the Liverpool Docks (being the Members of a Committee appointed at a Public Meeting of the Rate-payers for the purpose of obtaining an Amendment in the Constitution of the Dock Estate.

Sheweth,—That the Liverpool Docks are not, like those of London and many other places, an undertaking for the profit of any company or body of proprietors, but are strictly a trust for the public.

That the debt created for money borrowed to make the docks, and secured by bond or assignments of the rates, is nearly 1,400,000*l.* Their income, amounting to 180,000*l.* per annum, is derived wholly from rates upon ships and merchandize which enter or leave the port; and the surplus of this income, after defraying the current expenses and the interest of the debt, is applicable to the benefit of the public, by lessening the charges on trade, either in reducing the debt or lowering the rates.

That such being the nature of the trust, and seeing that though little more than a century has elapsed since the first dock was made, the commerce of Liverpool has so rapidly increased that her exports now exceed those of London, your petitioners submit, that the Liverpool Docks are a national concern, and that any proceeding for the improvement of the trust ought to be dealt with as a public measure; in which view your petitioners are confirmed by a reference to the Acts of Parliament under which the docks have been made, as will be seen by the following statement.

That the first dock in Liverpool was made under an Act passed in the eighth year of the reign of Queen Anne, "upon the petition of the mayor, aldermen, common council, merchants and owners of shipping of the borough of Liverpool," reciting, that it was necessary for the preservation of merchant ships and her Majesty's ships of war, that a dock should be made and buoys and land-marks placed for guiding mariners trading to and from the town, "all which would greatly encourage trade, advance her Majesty's revenues and the public good, not only of the said town and counties adjacent, but of the nation in general;" and reciting, that the mayor, aldermen, bailiffs and common council had granted four acres of the waste belonging to the borough for the site of such dock; but forasmuch as the making and maintaining the dock would cost more than the inhabitants of the borough could raise, and the same could not be effected without the aid of all trading persons to and from the same, "power was given to the mayor, aldermen, bailiffs and common council to make the dock and to levy certain rates upon shipping; and they were appointed trustees for making bye-laws, building and maintaining the docks, and collecting and disposing of the rates; they were also empowered to borrow 6,000*l.* upon mortgage of the dock rates, by indenture under the common seal of the corporation, to be applied in making and maintaining the dock; and it was provided, that there should be nine commissioners to inspect accounts and order balances to be expended; three to be chosen by the common council, three by the justices of Lancashire, and three by the justices of Cheshire.

That by another Act passed in the 11th year of the reign of King George II., power was given to the common council to make two other docks (now called the Dry Dock and Salthouse Dock) upon land granted by them for the purpose, and to borrow 14,000*l.* upon mortgage of the rates; and twelve commissioners were to be annually appointed to inspect, audit and adjust accounts; four to be nominated by the common council, and eight by the ship-owners.

That by two subsequent Acts passed respectively in the 2d and 25th years of the reign of King Geo. III., both reciting that the docks had tended greatly to the promoting of trade and commerce and the increase of his Majesty's revenue, the common council obtained powers to make three other docks (called George's Dock and the King's and the Queen's docks) upon land granted by them, and on other land which they had purchased, and for which they were to be repaid; and they were empowered to borrow, on mortgage of the rates, the several sums of 25,000*l.* and 70,000*l.*

That up to this period (1785) the common council granted the land required for making the docks without receiving any direct pecuniary compensation; but they had an ample return in the great enhancement in value of the land and buildings in the neighbourhood, the whole of which belonged to the corporation either in possession or reversion.

That by an Act passed in the thirty-ninth year of the reign of King George III. the common council obtained power to make two other docks on land and strand belonging to the corporation (for which they were to be paid out of the dock-rates), to borrow 120,000*l.*, to double the duties, and to sue in the name of "the trustees of the docks and harbour of Liverpool."

That in 1811, the rates on ships (which then amounted to 54,752*l.* per annum) were reduced,

LIVERPOOL DOCK ESTATE.

reduced, by an Act passed in the fifty-first year of King George III., and other rates laid upon goods. By the same Act the common council were incorporated as trustees of the docks, and were enabled to appoint a committee of 21 of their own body to manage the affairs of the docks; and they obtained power to borrow 600,000*l.*

That in 1823, the eight commissioners appointed by the merchants under the salutary provision of the Act of the eleventh year of King George II. above referred to, succeeded in obtaining an investigation (which they had long urged in vain) into the administration of the affairs of the dock trust; the result of which was, the exposure of lavish expenditure and "very gross frauds" (to use the language of a committee of the common council themselves) attributable to the culpable negligence of their servants, and which could not have existed if the trustees themselves had maintained a proper superintendence over the management of the trust.

That two years afterwards, by an Act passed in the sixth year of King George IV., obtained by the common council, the powers of these commissioners, by means of which they had been enabled to urge this investigation, were reduced to a mere checking of the accounts by the inspection of vouchers and examination of the receiver.

That by the same Act an alteration was made in the constitution of the dock committee by the introduction of eight rate-payers, chosen periodically by the rate-payers; but the remaining thirteen are appointed as before, by the common council out of their own body, and all proceedings of the dock committee, except the dismissal of servants, are subject to annulment by two-thirds of the council. This Act was originally introduced by the common council to obtain power from Parliament to borrow a further sum; and the merchants took the opportunity to submit their claims for at least an equal participation in the management. The council however delayed the progress of their Bill to the latest moment, and then threatened to withdraw it altogether if the merchants did not submit to the terms they chose to grant; and such was the inconvenience experienced from the want of dock accommodation, and the consequent necessity for money to carry on new works, that the merchants were obliged to submit.

That by the overwhelming majority of thirteen councilmen sent by the common council into the committee, and the general annulling power retained by them (without even excepting questions with the corporation itself) the government continues virtually vested in the common council.

The common council of the corporation of Liverpool being the trustees of the docks, it is necessary to advert to the constitution of the former body. The corporation of Liverpool are lords of the manor, and are the chief proprietors of soil within the borough. They have an income of 100,000*l.* per annum, arising from property in the town and from dues on exports and imports, and they are possessed of an extensive patronage, comprising many valuable ecclesiastical, legal and official appointments. The sole administration of this income and patronage is in the hands of the common council, who are self-elected, hold their deliberations in private, and are wholly irresponsible for their exercise of the powers reposed in them.

That the interests of these two great estates thus placed under the protection of the same trustees, are often directly opposed to each other; and in particular, the common council being proprietors of strand and soil wanted for the docks, have frequently to act in the double capacity of buyer and seller.

That the common council reserved to themselves as common council, the margins of the docks and the strand, which as dock trustees they reclaimed from the waters of the Mersey, by sea walls advanced into the river, and then as common council they took possession of the valuable land thus created for the benefit of the corporation estate. Your petitioners submit, that if the dock estate had been represented by trustees distinct from the corporation, it may reasonably be supposed that they would have had the common forecast to secure the strand, that might be required for dock purposes, before its value was thus so greatly increased at the expense of their trust. In purchases from the Earl of Sefton, and other land-owners, the council took care to include the strand.

That upon land thus gained, the common council constructed five graving docks, which it was justly considered and declared by the council themselves to be desirable to belong to the dock estate; and accordingly in 1811, power was obtained from Parliament, to purchase them at the valuation of a jury. Two were so purchased, but the price assessed not being satisfactory to the council, they thought fit not to carry into effect the powers vested in them, as dock trustees, for purchase of the three other graving docks; and in 1825, without any reason assigned, the power to purchase more than one of the remaining three was taken away. Here again, your petitioners submit that if the dock estate had been protected by a separate representation, the very reasons which influenced the council in retaining these graving docks as the property of the corporation would have induced other trustees to enforce their purchase for the benefit of the docks.

That since the year 1785, when the last free grant of land was made by the common council, they have made sales to themselves, as dock trustees, to the amount of upwards of three hundred thousand pounds; all for land and strand improved, and in great part created by the docks. And though, as required by the Acts, these purchases have been assessed by a jury, the common council appeared before the jury at once as plaintiff and defendant, and the evidence on either side, upon which the verdicts were given, proceeded upon instructions emanating substantially from the same source. Your petitioners submit that when it is considered, on the one hand, that the power possessed by the council over

LIVERPOOL DOCK ESTATE.

the large income and patronage of the corporation is unlimited and without responsibility; and, on the other, that their power over the dock estate is restricted to the specific purposes of the trust, as defined by Acts of Parliament, it would be unreasonable to expect that the interest of the corporation should not be preferred to that of the docks, so long as these two great estates are allowed to continue in the hands of the same trustees.

That, since the Act of 1825, the common council have sold to the common council, as dock trustees, land to the amount of 190,000*l.*, and they have had various other dealings in their double capacity, not only as buyers and sellers, but also as landlords and tenants.

That, as to the manner in which the *veto* of the council operates in cases where the rate-payers may happen to carry any measure in the dock committee, your petitioners state that a motion for giving publicity to the proceedings of the committee by the admission of a reporter, (subject to his exclusion at the instance of any member) though carried in the committee by a majority of 11, comprising all the representatives of the rate-payers, against eight, composed wholly of councilmen, was the next day annulled by the common council.

That with regard to the exercise of the patronage by the dock committee under the Act of 1825, your petitioners beg leave to mention two instances. The late solicitor of the docks being elected a member of the common council, a motion was made in the dock committee, on the ground of his oath as a member of the council, binding him to support the interests of that body, that it was expedient he should resign the situation of solicitor to the dock trust. But this motion was lost by a majority, consisting of eight councilmen and one rate-payer, and accordingly he continued to act for several years as the legal adviser of the dock estate, (though at the same time a member of the common council, whose interests are so often opposed) until recently appointed by the council to the office of town clerk.

That the solicitorship to the docks is the first important office which has become vacant under the new constitution; and considering that the appointment involves the interests of the merchants and shipowners, from whom alone the large income 180,000*l.* per annum is derived, and of creditors for more than a million, both the rate-payers and the creditors had a right to expect that the most efficient legal adviser should be selected, The son of one of the members of the common council (related to several members of that body) was however appointed, though he had only very recently been admitted an attorney.

That, because it is inconsistent with good government that the interest of the two great estates, often conflicting with each other, should be under the protection of the same individuals: that the alteration made by the Act of 1825 is delusive, as it still leaves the supreme control in the hands of the same trustees, under whose management the gross frauds and lavish expenditure occurred, and who continue also trustees for the corporation estate; that, since the Act of 1825, sales have been made by the council as the common council to themselves as dock trustees to the amount of 190,000*l.*, with only such nominally separate representation of the case before the jury as before mentioned; that important appointments have been made or continued from motives of private patronage, without regard to fitness for the office; and that where the interests of the two trusts conflict, the natural bias of the members of the common council must be in favour of the corporate estate, over which, with its extensive and valuable patronage, they have the unlimited and irresponsible control. On these grounds, your petitioners submit that the administration of the trust should be placed in the hands of responsible representatives, whose duties shall in all cases coincide with their interests.

Your petitioners therefore humbly pray, that your Honourable House will be pleased to adopt such measures as may effectually amend the constitution of the Liverpool Dock trust, now vested in the common council of the corporation of Liverpool, and for redressing, and in future preventing, the grievances now justly complained of by your petitioners; and that, for such purposes, your Honourable House will be pleased to direct all necessary inquiries into the matters aforesaid; and that your petitioners may have such further and other relief as to the wisdom of your Honourable House may seem meet.

And your petitioners, as in duty bound, will ever pray, &c."

Opinion of the late Mr. Huskisson.

It is proper here to state, that previous to the passing of the Act of 1825, the late Mr. Huskisson, upon whose judgment great reliance was naturally placed by all parties in Liverpool, was consulted respecting the proposed amendment of the constitution of the dock trust. The opinion which he then expressed cannot be taken in any other light than as a mere experimental cast; to develope the working of his proposed scheme, time was essential; indeed he expressly guarded his opinion with an admonition to the delegates from the Commercial Association, that if the new constitution were found practically inadequate to confer a due system of representation and control over the dock committee, the evil might be remedied, on some future occasion, by a larger infusion of rate-payers into that body.

It will hardly be deemed rash to conjecture that, after he had witnessed the various instances of the exercise of the veto, and the other matters, already detailed, illustrative of the working of the system, which he had recommended to the merchants of Liverpool for their adoption in 1825, he would have arrived at a very different conclusion from the following:

Questions submitted to Mr. Huskisson, with his Answers and Remarks.

QUERIES.	ANSWERS.	REMARKS.
1st. What number of members ought the committee of management to consist of?	-- I see no reason for altering the present number of the committee of management; viz. 21.	I do not understand that there is any difference of opinion on this point.
2d. What proportion of that number ought to be trustees nominated by the trustees, and what number of rate-payers elected by the rate-payers?	-- 2d & 3d. Of this number, 12 to be trustees and nine rate-payers, and one-third of each class to go out annually, or at the end of two years, by rotation, and not to be re-eligible till after the expiration of one or two years, according as the election shall be annual or biennial.	-- It appears to me of some importance to adopt the principle of changing one-third of the committee at short and fixed periods. Permanent committees sometimes fall into a routine, which leads to negligence, and thereby opens the door to abuse. This risk will be diminished by a periodical infusion of new members, as in the East India direction and other bodies. To effect this arrangement, the relative members of the two component parts of the committee must be divisible by three; and it is on this ground that I suggest nine and 12. But for this reason, I should have been satisfied with eight rate-payers, being convinced that every object of substantial check and efficient investigation would be equally obtained by the admission of this number of rate-payers, assuming them to be men of active dispositions, with a due proportion of vigilance and experience in business.
3d. Ought the members of the committee to retire and be replaced in certain proportions at the termination of certain periods, and ought this mode to apply to the whole or only to the rate-payers?		

Comments on the nature and objects of the Trust,

The proposition, announced in the outset of the petition above recited, that the trust does not exist for the profit of any company or body of proprietors, but is one strictly of a public nature, might perhaps be treated as self-evident; but, inasmuch as it forms the corner-stone of all the allegations comprised in the petition, it may be proper to advert shortly to the declared objects of the constitution of the trust, as set out in the earlier Acts of Parliament.

as declared by 8th Ann.

The preamble to the Statute of Ann, after reciting the various benefits, all of a public nature, to ensue from the construction of the proposed dock, and for the attainment of which the common council had granted a parcel of four acres of the waste belonging to the borough and corporation, states this inducement, "But forasmuch as the making the said dock or basin, and the sluices and canals thereto intended to belong, and for preserving and maintaining the same (when made), will cost more than the inhabitants of the said borough and corporation can raise, and *that the same cannot be effected without the aid and assistance of all trading persons to and from the same*; and that the hazard and danger all ships are exposed to for want of such advantages, being by this means in a great measure taken away," plainly designating the advantage of the trading community at large, as the special object of this work of legislation, and the true consideration for which the trustees were to be empowered to levy the rates, and borrow money upon mortgage of them. The preamble of the succeeding statute of 3 Geo. I. equally indicates the separate and distinct position in which the trustees were supposed to stand, apart from their corporate character; it recites that "the said trustees, being only part of the said corporate body, and not the corporation itself (the burgesses of the said borough being incorporated and known by the name of mayor, bailiffs and burgesses) stand *engaged and answerable in their natural and private capacities*, and have no counter-security or means of raising what they stand engaged for, over and above the said sum of six thousand pounds," authorized to be raised by the statute of Ann.

by 3d Geo. I.

The fact of their having incurred this personal liability to the extent of about 5,000 *l.*, was urged as an argument to show the public spirit by which they had been actuated in the discharge of their trust; but, with quite equal reason, another inference might be drawn from the same facts; viz. that, even at this early period, the trustees had learnt to contemplate their trust and corporate characters as identical, so as to have lulled themselves into the most perfect (and doubtless well-founded) confidence, that they were reposing under an immunity from all risk of suffering damage from any conflicting motives of action.

It was well observed upon the inquiry,* that, giving the utmost latitude to the meritorious claims that might have been urged by the corporation, so long as they continued to be *donors* of their land to the dock estate; yet, when they became *sellers* of land to themselves (which they were from the 25th Geo. III.), the necessity for a distinct representation was clearly evident. The enormous extent to which such sales were effected has been already fully detailed.

Right to the Sides and Brinks of Docks vested in Corporation.

During the period, however, in which the corporation might assert some claim to the character of gratuitous benefactors to the trust estate (if indeed the party mainly benefited can be admitted to stand in that ambiguous position), their common council appear to have had by far the more vigilant eye to the well-being of the corporate estate.

Sect.

* The whole of the observations of Mr. Radcliffe, respecting the constitution of the Dock Trust, are well worthy of attention, especially those at pages 37, 38 and 39 of the printed Report of the Liverpool Corporation Inquiry. Occasional references only can here be made to them.

LIVERPOOL DOCK ESTATE.

Under 8th Ann, s. 13.

Sect. 13, of their very first Act of 8th Ann (under the unassuming marginal abstract of "cranes may be built on the sides of the dock"), secures to the corporation the important right to the sides and brinks of the intended dock in the following terms:

"Provided always, and it is the true intent and meaning of this Act, that nothing herein contained shall extend or be construed to extend to hinder the mayor, bailiffs and burgesses of the said borough and corporation for the time being, and their successors, from having and enjoying, setting and letting the waste ground, and all and every the sides and brinks of the said intended dock or basin for building cranes, but that the same, and all the wastes of the said town, shall remain to them and their successors for ever, as the same have heretofore done."

Under recent Acts.

Under the provisions, likewise, of all the more recent Acts, the valuable land created by the excavations from the docks, between the dock walls and the æstuary of the Mersey,—land, in fact, reclaimed as a protection against the inroads of the sea, at an enormous expense to the dock estate,—was reserved to the corporation. It was justly asked, whether any private individual, endowed with ordinary foresight, in dealing with his own property under similar circumstances, would have failed to secure to himself the enjoyment of the land thus created at his cost, upon a site which before was valueless to the vendor.

Suggestions as to working, and Reform of the Trust.

In the conclusion of this report, I think it right to state the suggestions which were offered on the Municipal Inquiry, respecting the working of the constitution of the dock trust, and upon the important question of remodelling the same.

Pending the inquiry, the committee of rate-payers passed the following resolution:—

Resolution of Committee appointed by Rate-payers, 13th Nov. 1833.

At a meeting at the office of Messrs. Radcliffe and Duncan, the 13th November 1833, of the committee appointed at a public meeting of Rate-payers to the Liverpool Dock Estate, held at the Cotton sale room, the 13th November 1832:

J. B. Barclay, Esq., chairman of the committee, in the chair.

Read—The paper published by the committee, on the 23d of January last, entitled, "Grounds for an Inquiry into, and an Alteration of the Constitution of, the Liverpool Docks;" and especially re-considered the concluding paragraph thereof, being as follows—

"On these grounds the rate-payers submit that the administration of the trust should be in the hands of responsible representatives, whose duties shall in all cases coincide with their interests; and, therefore, that all powers should be vested in trustees, to be periodically elected by the rate-payers out of their own body:—but following the same principle upon which they desire to separate the dock trust from the common council, viz. that there should not be interests incompatible with duties, they propose that the rates should not be reduced unless with the consent of the bondholders, or the express sanction of Parliament."

Resolved, That the declarations therein expressed, and particularly with reference to the interests of the bondholders, be and they hereby are fully confirmed; and that the solicitors be authorized to deliver a copy of this resolution to any bondholder desiring the same.

(signed) *J. B. Barclay*, chairman.

Evidence of Mr. William Myers.

The evidence of Mr. Myers upon another head of inquiry has been already adverted to. On the question of the constitution of the dock committee, the same gentleman stated that, whenever they had to deal with third parties, the present system was found to work well enough; but that it was far different when any jarring interests were involved between them and the common council. Upon all points relating either to the property, the powers, or the privileges of that body, and even upon questions which merely trenched upon any of their old associations, an obvious line of demarcation separated the common councilmen from the rate-payers on the committee. This fact he illustrated by a multitude of instances, showing the general tendency of the present constitution to divide the committee into opposing factions, upon all questions affecting the corporation at large, or the members of the common council individually.

His impression was that there should be (in the language of Mr. Huskisson) a larger infusion of rate-payers into the committee; and that a constitution like that of the Board of Highways in Liverpool, in which there were 15 inhabitants and nine of the common council, would be desirable. With respect to the trust itself, he stated his opinion to be in favour of its remaining vested in the common council, so long as the debt due from the dock estate subsisted to its present large amount. Being pressed, however, on this point, he admitted that a popularly constituted body would be equally good depositaries of the trust, and would give equal confidence to the bondholders, and stated that it was in their corporate character that he considered the common council, as a large and respectable body, to be fit depositaries of the trust; and not on the score of their mere control over the corporate estates.

Evidence of Mr. Joseph Hornby.

Mr. Joseph Hornby, a merchant of Liverpool for above 20 years, and elected by the rate-payers a member of the dock committee in 1831, gave similar testimony as to the marked unanimity among the bulk of the corporation members, upon the occurrence of questions affecting their own interests. His further evidence was to the following effect:—That he was decidedly of opinion that the entire separation of the dock and corporation trusts would be of advantage to the public: that in regard to the bondholders, he had no doubt that they would be equally protected by a new constitution of the dock trust, as by the present common council; the probability being that a new dock corporation elected by the rate-payers out of their own body, would be at least as respectable, opulent and well-judging as the existing common council, or any that might succeed. That these, moreover, would have a more direct interest in the good and economical management of the estate.

LIVERPOOL DOCK ESTATE.

Provision might be made that a given surplus income over the expenditure incurred in the maintenance of works, payment of interest on debt, police and other charges, should always exist. He calculated that the present surplus, after paying all such charges in ordinary, was about 80,000*l.* a year. This he considered too large a surplus, and that a portion at least ought to be taken off in the reduction of dock rates; which at Liverpool far exceed those of London, especially on large vessels, upon which they are more than double. The effect of expending the whole surplus income on new works, he stated to be, that the present generation of merchants pay for the fee simple of the property, instead of only the interest of what it costs. That the dock surveyor had repeatedly stated in committee that it would be more economical to push forward vigorously the large works now in progress, by an additional loan, than to proceed piecemeal, according to the present system, defraying the expenses out of the surplus income.

That the committee themselves were almost unanimously of this opinion, and that notices had actually been published in 1832 of their intention to go to Parliament to raise an additional 200,000*l.*, but that he believed the idea was abandoned from a fear entertained by the corporation members of the committee, that the merchants would endeavour to engraft on the bill some clauses altering the constitution of the trust. In conclusion he stated his impression, that the trust should be entirely altered; but that if this were not conceded, and a certain number of the common council *must* form part of the dock committee, it was highly desirable that such should be selected out of the council, not by themselves, but by the rate-payers; for that the probability was, if any certain numbers were to be chosen by the council as suggested by Mr. Myers, that they would return men who entertained the same exclusive views with their body on most important subjects, and obtain all the advantages which union is known to confer even upon small confederacies.

Concluding Remark.

Where interests so great and various were at stake, it was to be expected that a diversity of opinion would be found to exist on the precise nature and extent of the reforms recommended.

Whatever may be deemed the most safe and efficient remedy for the evil (which it is not my province to suggest) I feel myself bound to report, that it does appear to me to be vain to expect that any body constituted (as we find the trustees of the Liverpool dock estate) of individuals clothed with and retaining an official authority wholly derived from their own body, and owing no responsibility beyond the pale of their own constitution, (let the individuals be the most intelligent and patriotic in the world) will ever exercise that authority uniformly for the commonweal, or avoid the just censure of acting, in frequent instances, for their own aggrandizement alone.

Newcastle-upon-Tyne, 11th May 1835. *Geo. H. Wilkinson.*

The following documents relating to the Trust of the Liverpool Dock Estate are sent with my Report.

1. The Liverpool Dock Acts, from 8 Ann, c. 12, down to 11 George IV. c. 14, bound in folio; with a copious Index prefixed.
2. The Annual Statement of the Accounts of the Trustees from 25th June 1831 to 23d June 1832.
3. The like, from 25th June 1832 to 24th June 1833.
4. Statement of the Grounds upon which the Trustees proposed applying to Parliament, in 1810, for authority to provide additional Dock Space, &c. Printed at Liverpool, 1810.
5. Report of the Committee appointed at a meeting of Rate-payers, on the 21st September 1832. Printed at Liverpool, 1832.
6. The Telegraphic Vocabulary, by Mr. Barnard Lindsay Watson, Superintendent of Telegraphs. Printed at Liverpool, 1832.
7. The Liverpool Telegraphic List of Ships' Names, by the same. Printed at Liverpool, 1833.
8. Liverpool Dock Police—General Instructions. Printed at Liverpool, 1833.
9. Letter of Charles Lawrence, esq., chairman of the Dock Committee, with Copy of their Resolutions touching our Inquiry; 9th November 1833.
10. Heads of proposed clauses in the Bill (sessions 1825) for the further Improvement of the Port, Harbour and Town of Liverpool.
11. Suggestions of defects and abuses in the Constitution and working of the Dock Trust and Committee.
12. Copy Petition to the House of Commons from the Committee appointed at a public meeting of the Rate-payers, for the purpose of obtaining an Amendment in the Constitution of the Dock Trust. 1833.
13. Copy Report of Messrs. Telford, Stevenson and Nimmo, Engineers, concerning two proposed new Sea Ports on the Rivers Dee and Mersey; 16th May 1828.
14. Copy Memorial of Rate-payers as to the appointment of Mr. Cornelius Bourne to the office of Solicitor to the Dock Trustees; 29th August 1833.
15. Report to the Dock Rate-payers of Liverpool, by the Audit Commissioners appointed by them for the year 1823–4. Printed at Liverpool, 1824.
16. Statement illustrative of the conflicting interests of the Corporation and Dock Trusts.
17. Copy Resolution of the Dock Committee touching the powers of the Municipal Commissioners, signed by the Secretary to the Committee; 9th November 1833.
18. Grounds for an Inquiry into, and an Alteration of, the Constitution of the Liverpool Dock Trust. Printed at Liverpool, 23d January 1833.

LIVERPOOL DOCK ESTATE.

19. Sundry Reports and Letters touching the state of the Buoys and Channels of the Port of Liverpool.
20. Copies of several Resolutions relating to the exercise of the *Veto* by the Trustees, viz.—
    - 20 *a*. Minutes of Special Meeting of Dock Trustees; 8th October 1825.
    - 20 *b*. Minutes of Common Council; 7th December 1825.
    - 20 *c*. „ „ 5th April 1826.
    - 20 *d*. Minutes of Special Meeting of Dock Trustees; 5th May 1826.
    - 20 *e*. Minutes of Common Council; 7th June 1826.
    - 20 *f*. „ „ 7th March 1827.
    - 20 *g*. „ „ 2d January 1828.
21. References to the number of times and the subjects on which the Trustees have exercised their *Veto*.
22. Copies of Resolutions of several dates, relating to the proposed Dock Bill of 1825, viz.—
    - 22 *a*. Minutes of Common Council; 6th October 1824.
    - 22 *b*. Minutes of Special Meeting of Dock Trustees; 20th October 1824.
    - 22 *c*. „ „ „ 13th October 1824.
    - 22 *d*. Mayor's Report to the Trustees that the Bill had received the Royal Assent; 6th July 1825.
23. List of the Members of the Dock Committee in November 1833, with their professions, ages, and dates of their respective appointments.
24. List of Officers who have given Surety to the Treasurer for the faithful discharge of their duties, &c., with amounts of Suretyship.
25. Copy Protest of Rate-payers on Dock Committee against the appointment of Mr. C. Bourne as Dock Solicitor, 21st August 1832.
26. Copy Resolution of the Dock Trustees confirming that appointment, 8th Sept. 1832.
27. Copy Report of the Rate-payers on Committee to the Body of Rate-payers, 25th August 1832.
28. Copy Address from the same to the same, 14th September 1832.
29. Copy Resolutions of 24th March 1824, and 6th April 1825, concerning appointment and salary of Mr. Jesse Hartley, as Civil Engineer and Superintendent of Docks.
30. Copy Minute of 8th November 1820, relating to the appointment of Mr. Henry Sudlow as Clerk in the Treasurer's office.
31. Copy Resolution of Dock Committee as to mode of remunerating the Dock Masters, 6th March 1827.
32. Extract from an Entry of Proceedings of Dock Committee as to the duties of the Harbour Master, 2d January 1827.
33. Statement of annual Expenses of Dock Gatemen.
34. Copy Statement of Captain Eldridge (ship Grecian) concerning the Harbour Master.
35. and 35 *a*. Copies of Resolutions of Dock Committee concerning inspection of Books of Proceedings, 16th and 23d October 1832.
36. Copy Resolution of Committee of Rate-payers concerning Constitution of Dock Trust, signed by T. B. Barclay, esq., chairman, 13th November 1833.
37. Copy Form of Declaration of Election of Rate-payers in the room of those retiring by rotation from the committee.
38. Copy Resolution of the Shipowners' Association and Letter to Mayor concerning the Graving Docks, 13th May 1825.
39. Copy Questions submitted to Mr. Huskisson concerning the constitution of the Dock Trust, with his Answers and Remarks.
40. Statement of Number and Classification of Prisoners confined at Dock Police Office in the year ending 31st July 1833.
41. Statement of Vessels and Tonnage Duties received for eight years, ending June 1833.
42. Statement as to Periods of Discharge of several specified Vessels from Docks.
43. Statement of Number of Entries, and Amount of Duties received on Goods, inwards and outwards, for eight years, ending June 1833.
44. Statement of Cost of Property purchased by Dock Committee under authority of Act 6 Geo. IV., distinguishing that purchased from Corporation.
45. Statement as to Rent of certain Premises, to explain an entry in printed Account for the year 1832–3.
46. Statement of Salaries of Officers on the Telegraphic Establishment, 1833.
47. Report of the Deputation of the Dock Committee, concerning the Repairs of the Graving Docks, Numbers 2 & 3; 3d October 1832.
48. Statement (not authenticated by evidence) of the various Disbursements made in the construction of Prince's Dock.
49. Copies of three Resolutions relating to the proposed Docks at Wallasey Pool (noticed in the Report on the Corporation at Liverpool); viz.
    - 49 *a*. Resolution of Dock Committee upon consideration of Resolutions of Common Council of the 6th of same month, 19th August 1828.
    - 49 *b*. Resolution of Common Council, 26th August 1828.
    - 49 *c*. Resolution of Dock Committee upon notice transmitted to them by Select Finance Committee of Common Council, 28th October 1828.
50. Sundry unimportant Papers and Documents.

REPORT

ON

THE BOROUGH OF LUDLOW,

(SALOP.)

CONTENTS.

	Page
PROTEST	2783
Local Limits of Borough, by Charter	2783
by Reputation	2783
Jurisdiction of Magistrates	2783
Uncertainty of Limits	2784
Historical matter in Early Charters	2784
Custody of the Castle	2784
Court of the Marches	2785
Charters extant	2785
1 Edward IV.	2785
18 Edward IV.	2785
6 Edward VI.	2785
1 Mary	2785
38 Elizabeth	2785
2 James I.	2785
3 Charles I.	2785
17 Charles II.	2785
1 James II.	2785
4 William and Mary	2785
Governing Charter	2785
Abrogated Charter	2785
Title of Corporation	2785
Charters, Earlier	2786
Richard, Duke of York	2786
Henry IV.	2786
Ancient form of ruling under Charter of Elizabeth	2786
Officers:	
High Bailiff, Election of	2787
Low Bailiff, Election of	2787
Bailiffs, Functions of	2787
General Sessions	2787
Court of Record	2787
Bailiffs, how replaced	2787
Salaries and Emoluments	2788
Lands	2788
Deputy Bailiffs	2788
Capital Masters, Election of	2788
Recorder, Election of	2788
Qualification of	2789
Functions of	2789
Salary	2789
Aldermen and Common Councillors	2789
Town Clerk, Election of	2789
Functions and Salary	2789
Coroner, Election and Functions	2789
Salary	2790
Serjeants-at-Mace	2790
Beadles	2790
Crier	2790
Chamberlain, or Chief Constable	2790
Functions and Expenses	2790
Auditors	2790
Supervisors of Estates	2790
Accountant	2790
Steward	2790
Freedom, how acquired	2791
Freemen, Duties of	2791
Numbers	2791
Election of Members of Parliament	2791
Ruling Body	2791
Fees on admission to Freedom	2791
to Office	2792
Courts:	
Criminal, Sessions	2792
Leet and Petty Sessions	2792
Civil, of Record	2792
Pie Poudre	2793
Juries	2793
Police	2793
Gaol	2793
House of Correction	2793
Fines	2793
Property:	
Palmer's Guild	2794
Estates, Houses and Fields	2795
Farms	2795
Income and Expenditure	2795
Fines on Renewal	2796
Annual Accounts for Four Years	2797
Rental for Six Years	2798
Tolls on Grain	2798
Bridge	2798
Cattle	2798
Wheels	2798
Debt	2798
Publication of Accounts	2799
Law Expenses	2799
Buildings on Leasehold	2799
Church Window	2799
Water Works	2799
Volunteer Corps	2800
Election Dinners	2800
Expense of Hustings, &c.	2800
Patronage:	
Palmer's Guild, Grammar School	2800
Master	2800
Usher	2800
Preacher	2800
Assistant	2800
Poor Indigents	2801
Organist	2801
Local Acts of Parliament	2801
General State and Prospects	2801
Manufactures	2801
Poor Rates	2801
Rectory	2801
Church and Schools	2801
Dissenting Congregations	2801
Public-houses and Beer-shops	2801
Population	2802
Valuation of Property	2802
Assessed Taxes	2802
Parochial Assessment	2802
Houses	2802
Number of Electors	2802
APPENDIX.	
Incorporated Companies	2802
Hammermen	2802
Stitchmen	2803
Cordwainers	2803
Butchers	2803
List of Documents sent with the Report	2803

BOROUGH OF LUDLOW.

Protest.

Before the inquiry respecting this corporation was entered upon, Edmund Lechmere Charlton, esq. the high bailiff, stated, that, acting in the name of the corporation, he had to inform the Commissioners that he was authorized to protest against the legality of the Commission under which they acted.

Being questioned whether any formal resolution had been drawn up on the subject, he stated that the Protest was founded on a resolution of the corporation entered on the corporation books, among the minutes of their proceedings.

By desire of the Commissioners, the entry was read in open court by the town clerk, immediately before opening His Majesty's Commission, and a copy of the same required; it was to the following effect:—

"Resolved,

"That it is a subject of notoriety that a Commission has been issued, directing an inquiry into divers matters connected with corporations of cities and boroughs within Great Britain.

"That it is desirable the officers of this corporation should have instructions for their guide, in the event of the Commissioners arriving in this town.

"That the high and low bailiff be requested to wait upon the Commissioners, and record the solemn Protest of the body corporate, assembled this day, to the Commission, as being illegal; but that having discharged their duty in making this solemn protest, they be directed to inform the Commissioners that they are disposed, under the circumstances, to offer no impediment whatever to every fair investigation."

Local Limits of Borough, by Charter.

The Local Limits of the Borough are thus defined in the charter granted to Ludlow in the 1st Edward IV.: "Also we will and grant for us and our heirs, as much as in us lies, to the aforesaid burgesses and their successors, that the liberties of the town or borough aforesaid shall extend themselves without the said town or borough, by the limits, metes and bounds under written; (that is to say), from the east part of the town or borough aforesaid, as far as the township of Rock, and from thence as far as the township of Further Halton, on the west part of the same town or borough; and from the same township of Further Halton, as far as the township of Overton, on the south part of the aforesaid town or borough of Ludlow; and from the same township of Overton as far as the township of Stanton-Lacy, on the north part of the same town or borough, and from thence as far as the aforesaid township of Rock."

The charter of 3d Charles I., granted to the same borough, after reciting this provision of the charter of Edward IV. and describing the boundaries in the same terms, ordains, "that all and singular houses, edifices, lands, waters, watercourses, soil and ground, situate, lying and being within the aforesaid town, parish or borough of Ludlow, and within the circuit, bounds and limits of them, in whatever county or counties they are situate, lying or being, from henceforth for ever are and shall be, and shall be reputed and taken to be the liberties and precincts, and with the liberties and precincts of the aforesaid borough of Ludlow, to all intents and purposes, and in as ample manner and form as if they were in these presents particularly mentioned and expressed, as to all things and in every matter, saving those things which are to the prejudice of any other person or persons having or of right claiming liberties or priorities within the places and liberties aforesaid; and that all and singular the inhabitants and residents within the limits, places and precincts aforesaid, from henceforth and for ever, are and shall be within the liberties and jurisdiction of the borough of Ludlow aforesaid, and under the rule and guidance of the officers and ministers of the same;" and the fact of the boundaries extending into the county of Hereford is afterwards recognized in that clause of the charter which relates to the serving of writs, precepts, warrants, &c. wherein notice is taken of "doubts arising by reason of this, that the liberties of the aforesaid town or borough lie and be as well in the aforesaid county of Hereford, as in the aforesaid county of Salop."

Limits of Borough, by reputation.

The Limits of the Borough are reputed to be co-extensive with those of the parish of St. Lawrence, Ludlow. Perambulations of that parish have been frequently made, but not under the authority of the corporation of Ludlow.

A *quo warranto* information was recently brought to try by what right Mr. John Salway claimed to exercise the office of an alderman of this borough; the present high bailiff, who resides at Ludford Park, in the county of Hereford, was the relator, and a question arose as to the competency of the relator, in respect of his residence within the liberties of the borough. Upon the argument in that case, the sketch of the Boundaries, sent with this Report, and marked N. was exhibited to the court; that part which relates to the county of Hereford (the sole matter in dispute) being verified by affidavit, as parcel of the borough. The Court of King's Bench, upon the evidence, ousted Mr. Salway, confirming the accuracy of this evidence as to the boundaries.

Jurisdiction of Borough Magistrates.

The Jurisdiction of the Borough Magistrates also has, of late years, been exercised throughout the whole township of Ludford, lying within the county of Hereford.

LUDLOW.

Uncertainty of Limits.

It is obvious, however, that the definition of the Limits of the Borough contained in the charter is extremely vague and uncertain, and, in point of fact, it is admitted that on the Shropshire side they must still be considered as unsettled.

Historical matter in early Charters.

The political importance of the town of Ludlow in our early annals, and many traits of its local history, may be observed in the charters granted to its inhabitants.

Thus, its services "in resisting the Welsh rebels," are recognized in the grant of Henry IV. hereafter set out.

The adherence of the burgesses to the House of York may be inferred as well from the charter of confirmation of their prescriptive rights and privileges, granted to them by Richard, Duke of York, father of King Edward IV., as from the direct acknowledgment contained in the recital of the governing charter of Edward IV. himself:

"Know ye that we, considering the laudable and gratuitous services which our beloved and faithful subjects, the burgesses of the town of Ludlow, have rendered unto us in the obtaining of our right to the Crown of England, for a long time past withheld from us and our ancestors, in great peril of their lives; and also the rapines, depredations, oppressions, losses of goods and other grievances for us and our sake, in divers ways, brought upon them by certain of our competitors, being therefore desirous for the amelioration and relief of the town aforesaid, and of the burgesses and inhabitants in the same, to bestow our grace and favour on the same burgesses," &c.

Afterwards, when the presidency of the Marches of Wales was established in Ludlow, still greater importance was attached to its occupation, and a higher splendor environed its ancient castle. The following is the recital of the charter of Elizabeth: "We, graciously affecting the improvement of the town and borough aforesaid, and therefore observing the relief and better support of them, for that our council of our marches of Wales in those parts there chiefly reside and abide; and we also greatly wishing the public and common advantage of many of our subjects in the said town, and the inhabitants of the neighbouring parts, &c."

The recitals of the charter of James point partly to the same considerations, and partly to one rather of personal feeling of the monarch himself:

"Whereas our town of Ludlow, in the county of Salop, is an ancient town, inclosed and defended with a ditch and wall, and embellished with our famous castle of Ludlow, now and for some ages past the seat of the Prince of Wales: And whereas also the said town was entirely demolished and ruined in the times of the civil war between the two most famous York and Lancaster families of this kingdom, by the Lancasterian family and its friends, as sufficiently appears and is manifest by divers records and other proofs worthy of credit: And also, whereas the most victorious King Edward IV., late king of England, the ornament and glory of the York family, our progenitor, when he possessed the kingdom, himself ingenuously acknowledged the benevolence, assistance and diligence of the burgesses of the said town, shown to himself in obtaining the said kingdom, which he got by a most bloody war, in which many of those burgesses, and the then inhabitants of the said town, were slain and perished." It then recites the charter of Edward IV., and proceeds: "And also, whereas from that time hitherto the town aforesaid, theretofore entirely ruined and depopulated, hath in a wonderful manner increased and flourished, as well in wealth as people, and at this time flourishes: And also, whereas the bailiffs, burgesses and commonalty of the town aforesaid, after the death of our dear sister and predecessor, Lady Elizabeth, late Queen of England, not only without any hesitation, but with great joy and applause, publicly proclaimed us in the very beginning of our auspicious reign, in this realm of our kingdom of England and kingdom of France and Ireland, according to our undoubted just right of succession and descent," &c.

Custody of the Castle.

A succinct account of the custody of Ludlow Castle, during the eventful periods in which the several charters were granted to the town, appears fit to find a place in this Report. It is extracted from Gough's Camden: "5 Richard 1st: Gilbert Talbot had lands given him for the custody of Ludlow Castle; and four years after, Herbert, Archbishop Canterbury, seized it for the king, to whom it belonged in the reign of John. In the 8th of his reign Philip de Albini was governor; but in the 16th year of his reign he granted it to William de Lacy. He died 1241, leaving his estates between the daughters of his son Gilbert, who died in his lifetime. Of these Maude, wife of Peter de Geneva, had Ludlow for his purparty. Their grandson, Peter's eldest daughter, Joan, marrying Roger Mortimer, Earl of March, it passed by that family to the crown. * * Roger Mortimer having made his escape from the Tower, in the reign of Edward II., built a chapel in the outer ward of Ludlow Castle, and on his attainder, 4 Edward III., only his furniture here escaped confiscation. The large tower at the entrance, now the Fives Court, retains his name. During the troubles between Henry II. and his barons, it was taken and burnt by Simon de Montford, Earl of Leicester, and Llewelin, Prince of Wales. 30 Henry VI. it belonged to Richard, Duke of York, who there drew up and signed his declaration of allegiance to the king, pretending his army of 10,000 men, assembled in the Marches of Wales, was for 'the public wealth of the realme.' * * When it came again to the crown, in the reign of Edward IV., his eldest son, Edward, held his court here, was proclaimed king here, and was sent from hence with his brother by Richard III. Prince Arthur resided here in the reign of Henry VII., and died here. From the reign of Henry VIII., when the Court of the Marches of Wales was instituted, the court was held in this castle, and the old presidents of the marches resided here.

"In the reign of Charles I. it was inhabited by the Earl of Bridgwater. Sir Gilbert Gerard, brother to Lord Brandon Gerard, afterwards Earl of Macclesfield, was slain in a skirmish with the Parliament forces. During the civil wars it was for a while held for the king, but

on

on June 9th 1646, delivered to the Parliament. At present it belongs to the crown, and a governor is appointed to it.

"Time and neglect have made greater ravages in it than hostile violence. The outer gate, where Butler wrote the first part of Hudibras; the chapel, painted with the arms of all the lords presidents, and a round steeple; the noble hall, with spacious vaults below; the room where Prince Arthur died; the apartments where Sir Henry Sidney, lord president, held his court, and in which Milton's Mask of Comus was acted by the Duke of Bridgwater's children; the deep well and lofty oven, are reduced to shells, whole floors falling in by gradual rottenness."

Court of the Marches.

The remarkable preamble, and the enactments of the statute 27 Henry VIII., c. 26, illustrate the institution of the Court of the Marches here referred to.

Charters extant.

The following are the charters which were produced by the officers of the corporation:

No.

1. 7th December, 1st Edward IV.
2. 8th March, 18th Edward IV.
3. 26th April, 6th Edward VI., confirming letters patent of 27th February, 1st Henry VIII.; and also of 18th November, 2d Henry VII.; and also the above-mentioned charters of 1st and 18th Edward IV.
4. 18th December, 1st Mary.
5. 23d October, 38th Elizabeth.
6. 11th July, 2d James I.
7. 31st July, 3d Charles I.
8. 14th April, 17th Charles II.
9. 19th December, 4th William and Mary, with the charter (abrogated thereby) of 28th March, 1st James II.

Governing Charter.

The importance of the privileges communicated to the borough of Ludlow by the Charter of Edward IV., has caused this to be considered in all the succeeding charters as the basis of the regulations for the municipal government of the town; of which it may in effect be deemed the governing charter.

The leading provisions of this, as well as of the subsequent charters, will come under consideration in the sequel of this Report.

Abrogated Charter of James II.

The charter of the 28th March, 1st James II., as appears from the abrogating Charter of William and Mary, had entirely changed and re-modelled the constitution of the corporation, vesting the government of the borough in a mayor, aldermen and common council, and reserving to the crown full power and authority at its good pleasure, from time to time, by any order, direction or instruction given or signified by the lord president of the council, within the Principality or Marches of Wales, to remove or declare to be removed the mayor, recorder, steward, coroner, town clerk, or any or either of the aldermen, capital burgesses or common councilmen, chamberlains or serjeants-at-mace, in the said letters patent (of James) named, or afterwards to be elected or constituted; such declaration of the lord president was to operate as a removal of them from their respective offices *ipso facto*, and without any other *process*, really and to all intents and purposes whatsoever.

Charter of William & Mary.

The charter of William and Mary recites a surrender made by the bailiffs, burgesses and commonalty of the town or borough of Ludlow, under their common seal, bearing date 19 January, 36 Charles II. and enrolled in the Court of Chancery, whereby they granted and surrendered to that Prince all and singular the powers, privileges and authorities whatsoever, wherewith they, or any select number of them, were in any manner endued, or which they had used or exercised by virtue of any charter, letters patent, customs or prescriptions of or concerning the election, &c. of any corporate officers (in the amplest terms); and it recites further the aforesaid letters patent of King James II., and also, that Henry, Duke of Beaufort, late President of the Council within the Principality and Marches of Wales aforesaid, by virtue of an order, direction or instruction of the said late King James the Second, had removed and displaced, by a certain instrument in writing under the hand and seal of him the late president, bearing date the 10th December, 4th James II. the then mayor, recorder, steward, coroner, town clerk, aldermen, capital burgesses or common councilmen, chamberlains and serjeants-at-mace, of the town or borough aforesaid from their respective offices. And that thereupon divers persons who were at the time of the surrender aforesaid aldermen and common councilmen of the town or borough aforesaid, re-assumed and took again their respective offices, and had lately chosen two bailiffs and certain others into several other the aforesaid offices.

It then proceeds to restore and re-establish the corporation as originally constituted, to re-incorporate the burgesses and inhabitants by the ancient name of bailiffs, burgesses and commonalty, to grant and confirm the re-establishment of the several members and officers of the corporation, and to restore to them their lands and all their pristine rights and privileges.

A book containing printed translations of the several charters, accompanies this Report.

The charter of 3d Charles I. stated in the translation to have been given at Canterbury, appears, however, to have been witnessed at Tanbury, probably at Tenbury, in Worcestershire, distant nine miles from Ludlow.

Title of Corporation.

The title of the corporation is "The Bailiffs, Burgesses and Commonalty of the Town or Borough of Ludlow, in the County of Salop." Under the abrogated charters of James II. it is

LUDLOW.

is described " per nomen majoris, aldermannorum, et communis concilii villæ sive burgi de Ludlow, in com. Salop."

The corporation of Ludlow has always been esteemed to be a corporation by prescription also, and if the authenticity of some documents of earlier date than the foregoing charters be conceded, no doubt can arise upon that point.

Charter of Richard, Duke of York.

Thus a charter of confirmation from Richard Duke of York, father of King Edward IV. is extant, dated the 1st April, 28th Henry VI. and is recited in certain decretal orders in the Court of Exchequer of Michaelmas, 39th Elizabeth, exemplified under seal 27th June, 41 Eliz. and in other decretal orders of about the same period.

That charter recites, that John Parys and eleven other persons specified, " the twelve and the twenty-five with them, burgesses chosen for the good rule, counsell and governance of our said town surely to be kept; of the which twelve and twenty-five, and their predecessors, as we have well conceived and understand, sythe *the time that no mind is*, by the licence and grant of our noble progenitors, have used, ruled and governed all manner of matters belonging to our said town, except the correction and governance that longeth and concerneth to our steward there, in the holding of our courts, and except also that that appertaineth to the constables for our sovereign lord. The which rule and governance we, inasmuch as in us is, hooly ratify and confirm to our said burgesses, the twelve and twenty-five, and to their successors, charging moreover and commanding all other burgesses, denysens, tenants and resyants of our said town of Ludlow, to obey the good rule, counsell and governance of the said twelve and twenty-five, and their successors, upon pain of forfeiting their freedom, whoso offendeth and doth the contrary."

Grant of Henry IV.

And in an earlier record in the Tower of London, the corporate character is recognized.

It is a grant from Henry IV. dated 6th February, in the 6th year of his reign, and is as follows:

" For the burgesses of the town of Ludlow.

" The King, to all to whom, &c. greeting:

" Know ye, that of our special grace, and in consideration of the gratefull and good services heretofore shown to us by our beloved burgesses of our town of Ludlow, in resisting the Welsh rebels, and for their future good services, as we trust, to be rendered to us, we have granted to the aforesaid burgesses, and their heirs and successors, that they be free throughout our realm of toll, lastage, passage, pontage and denegelt, and gawyte, and of all their customs and exactions, as well in England as in all other dominions, as long as the aforesaid town shall remain in our possession, by reason of the minority of the Earl of March, our ward, or for any other cause. Saving always the right of the aforesaid Earl when he shall arrive at age, and of all other persons. Witness the King at Westminster, the sixth day of February." By the KING."

Ancient Form of ruling the Town, as recited in Charter of Elizabeth.

The charter of 38 Eliz. recites, moreover, the ancient form of ruling in the following terms:

" And whereas of old and for a long time past it hath been used and now is used within the town and borough of Ludlow aforesaid, and the precincts and liberties of the same town or borough, that as well the burgesses elected within the town or borough aforesaid, to any Parliament, as the bailiffs, serjeants-at-mace, and all the rest of the officers and ministers of, in or for the said town or borough aforesaid made or elected, and also all and singular laws statutes and ordinances whatsoever, from time to time, before this made, ordained or constituted for the good rule and government of the burgesses, inhabitants, resiants, officers and ministers whosoever within the town or borough aforesaid, and for sustaining of the same town or borough; and also all other things, matters and business whatsoever, at any time before this, in the name or right of the corporation of the town or borough aforesaid made or executed, through all the time aforesaid, were made, executed, devised, ordained, appointed or directed, and at this present time are made, executed, devised, ordained, appointed and directed by thirty-seven persons, burgesses and inhabitants within the town or borough aforesaid, being the most honest, fit, able and discreet of the same town or borough; of which certain thirty-seven burgesses and inhabitants, twelve of the most honest and discreet men are reputed and named, and through all the time above said, have been reputed and named aldermen or principal burgesses of the same town or borough; of which certain twelve aldermen or principal burgesses one yearly hath been elected to the office of head bailiff of the same town or borough; and of which certain thirty-seven burgesses and inhabitants, twenty-five being the residue of the same number, together with the aforesaid twelve principal burgesses are reputed and named, and through all the time aforesaid have been reputed and named the common council of the same town or borough, of which certain twenty-five the low bailiff of the town or borough aforesaid yearly, and from time to time is elected, named and appointed and through all the time aforesaid hath been, by which certain form or custom of governing and ruling, the aforesaid bailiffs, burgesses and commonalty, with long use, are expert; that the town or borough aforesaid, and the burgesses, inhabitants, artificers and resiants within the same town or borough aforesaid, have been well, quietly and peaceably governed, and also all other things, matters and business in the same town or borough made, ordained and devised, honestly and laudably have been made, administered and executed to the common benefit of the burgesses and inhabitants of the same town or borough." And it then proceeds to ordain as follows:

" Know ye, that we, willing that the aforesaid old and antient manner and form of governing in the town or borough aforesaid, be from henceforth for ever inviolably, in all respects, duly

duly observed, of our special grace, &c. have granted and ordained, that from henceforth there are and shall be within the town or borough aforesaid, from time to time, thirty-seven of the discreet and honest burgesses and inhabitants of that town or borough, who shall be and be named the common council of the town or borough aforesaid." And it goes on to make special provision for the future enactment of bye-laws, and election and appointment of all the members and officers of the corporation.

Officers.

The Officers of the corporation are, by charter,

Bailiffs	2	
Capital Masters and Justices	2	
Recorder	1	
Aldermen	12	including the foregoing.
Common Councilmen	25	
Town Clerk	1	
Coroner	1	
Serjeants-at-Mace	3	
Beadles	4	
Crier	1	

There are also not by charter (or by the more recent charters),

Chamberlain and Chief Constable	1
Auditors	6
Supervisors of Estates	12
Accountant	1
Steward	1

High Bailiff, election of.

The High or Head Bailiff is elected conformably to the foregoing recital of the charter of Eliz. by the majority of the aldermen and common councilmen from among the 12 aldermen.

The election takes place annually at a common hall held on the charter day, the 28th October. A practice has prevailed with the corporation of meeting previously, on the 13th October in each year, and nominating, by agreement, on that day the persons destined to fill all the corporate offices for the ensuing year; but this conventional nomination is not recognized by any charter, nor has any such meeting ever been attended by a majority of the members of the council; and as no valid acts can be initiated at such meeting, no minute is ever made of its proceedings.

It has been usual to select the aldermen by rotation, according to their seniority, for the office of high bailiff, and only one instance is recollected of a departure from this practice.

This was in the case of the present high bailiff, who was elected on the occasion of a senior alderman who had been put in nomination, declining to take upon himself the office.

Low Bailiff, election of.

The Low Bailiff is likewise elected by the same persons according to the charter, annually, from among the common councilmen. In this case it is also the ordinary and almost uniform practice to select by rotation, according to seniority; and the only exception recorded here was also in the instance of the present high bailiff, whose turn it was, several years ago, to have served the office of low bailiff, but who chose to waive the acceptance of it at that time, and served the office of low bailiff last year, being then the senior common councilman.

No other instance is recollected of the low bailiff of one year becoming the high bailiff of the next.

Bailiffs functions of.

The charter of Edward the Fourth provides that the bailiffs for the time being, with the recorder or steward, shall be justices of the peace "within the town or borough aforesaid, the suburbs and precincts thereof, and that they shall have full power and authority to inquire concerning whatsoever felonies, trespasses, misprisions and other defaults and articles whatsoever within the town or borough aforesaid, the suburbs and precincts thereof, done or perpetrated," with a non-intromittant clause to the justices of the county of Salop; it further provides that they shall be justices "to deliver the gaol of the town aforesaid of the prisoners being therein, and from thenceforth from time to time to be committed to the same gaol for any cause whatsoever," with a non-intromittant clause to the King's justices of gaol delivery.

General Sessions, before whom.

The charter of Charles I. provides that it may and shall be lawful for the bailiffs, recorder and capital masters for the time being, or any two or more of them (of whom the high bailiff or recorder of the town or borough for the time being is to be one), to hold general sessions of the peace when to them it shall seem necessary, in any convenient place within the town or borough, liberties or precincts of the same, and to deliver the gaol of the town aforesaid.

This is the only distinction between the duties of the respective offices of high and low bailiff, as defined by the charters; the high bailiff, with one of the capital masters, is also practically the keeper of the corporation muniments.

Court of Record, before whom.

The bailiffs are the presiding officers in the Court of Record, and the returning officers of Members to serve the borough in Parliament.

Bailiffs, how replaced.

The charter of Elizabeth provides for the election both of high and low Bailiffs, in the event of either dying within one year after he shall take office, the former to be replaced by one of the aldermen, the latter by one of the common councillors, to act for the remainder of the year. Instances have occurred of such appointments; but none of the amotion of bailiff from his office.

LUDLOW.

The charter of Queen Mary (18 December, 1 Mary), had already conferred the like powers of choosing new bailiffs, if any should die within their year of office, with a view to the due holding of the court of record.

Bailiffs, Salaries and Emoluments of.

Previous to the year 1827, certain houses and lands, the property of the corporation, were held by the bailiffs of Ludlow for the time being, the rents being received by them for their own use.

Bailiffs' Lands.

This property, which was called "the Bailiff's Lands," had been thus held and enjoyed from the earliest recorded period. It was leased at rack-rent (differently from the other corporation estates), and the rents were received directly by the bailiffs, without passing through the hands of the receiver. Latterly these rents had amounted to 817 *l.* 8 *s.*

A specification of the rental, with the tenants' names, and a description of the premises, accompanies this Report. A great part had been let upon lease about the year 1807 at an exceedingly high rate, the property having previously produced only 500 *l* or 600 *l.* a year.

These large emoluments of the office had been applied by the bailiffs to defray the expenses of splendid annual festivals (of two balls and a great feast), given by them at Ludlow to the inhabitants of the town and its vicinity.

On the 13th October 1827, a resolution was passed by the corporation for granting a salary of 100 *l.* to each of the bailiffs for the time being annually, in lieu of the emoluments derived from this source; doubts being entertained whether the corporation had any power over the application of the proceeds of that property, the opinion of a member of the bar now on the bench was taken upon the point, and this being in favour of the right, the resolution was passed accordingly. The leases were granted in the names of the bailiffs, burgesses and commonalty, and under the corporate seal, though the rents were received by the bailiffs.

The festivals have of course been discontinued, with the appropriation of the rents.

In addition to the salaries of 100 *l.* thus paid to the bailiffs, it seems that they are still entitled to some trifling emoluments arising from pickage and stallage payable at the weekly markets, and the five annual chartered fairs. Some doubt indeed appears whether the salary of 100 *l.* was not intended as a compensation for all the former receipts of the bailiffs. The question is not important, as it seems that, after a distribution of cake and wine among the burgesses and other inhabitants at the fairs, the expense of which is defrayed by custom out of the proceeds of the pickage and stallage, no balance whatever is now left in favour of the bailiffs.

Deputy Bailiffs, appointment of.

The charter of Charles I. contains a provision that "if it shall happen the bailiffs of the borough aforesaid for the time being, or either of them, fall sick in such sort, or by infirmity be hindered so that he or they are not able conveniently to attend the business of the borough aforesaid, or he or they are gone out of the said borough for any reasonable cause by the license of the common council," &c., it shall be lawful for them, in writing, to constitute deputies from among such persons who before then have been bailiffs of the borough.

This clause seems undoubtedly to point to the necessity of residence as a qualification for the corporate officers, under the special provisions of their charter, a qualification stated to have been, here as elsewhere, too frequently disregarded.

Deputies to act in case of absence or sickness are appointed annually in Ludlow, as matter of course.

The deputy bailiffs have no salaries or emoluments; and neither the bailiffs nor their deputies, exercise any exclusive privileges.

Capital Masters, election of.

The Charter of Charles I., reciting, that it often happens, by the absence of the bailiffs or Recorder, that malefactors have escaped unpunished, provides that the bailiffs and burgesses, or the major part of them, from time to time, being present at the election of bailiffs on the day they yearly choose the bailiffs, shall nominate two discreet and honest men of the capital burgesses or aldermen, who before have been and executed the office of high bailiff, to be and be accounted the capital masters of the borough for one year then next following; and it gives them the power to act with the bailiffs and recorder as justices of the peace and of gaol delivery, and to hold the general sessions as before noticed.

Unless the qualification "who before have been and executed the office of high bailiff," be confined to the aldermen, from whom alone the high bailiff was and is chosen, it is plain that the person who drew this charter, did not understand the constitution of the town; and if it be so restricted, it is strange that the capital burgess, a corporate officer of an inferior station, should be preferred for the magisterial office to his superior, the alderman, even although the latter might not have served as high bailiff.

The capital masters have no other functions or privileges, nor any salaries or emoluments.

Recorder, election of.

The office of Recorder or Steward is mentioned in the charter of Edward IV. which provides "that such able lawyer, learned in the laws of the land, whom the burgesses aforesaid, their heirs and successors, shall from time to time think fit to elect to be recorder, or steward of the town aforesaid," shall, with the bailiffs, act as justice to procure and keep the peace, &c., and also to deliver the gaol of the town aforesaid, &c.

The charter of Charles I. reciting these provisions, gives the bailiffs and recorder the assistance of the capital masters in the exercise of these functions, as stated in the last section.

The short charter of confirmation of 17 Charles II. (after providing that the recorder, as well as all the other corporate officers, shall take the oaths of obedience and supremacy before they

they shall exercise their offices), directs that no future recorder or common clerk shall act, before he shall have been approved by the Crown. LUDLOW.

The interpretation of the words of the charter "whom the burgesses aforesaid," &c. may admit of some doubt; but, in practice, the election has invariably been made by the thirty-seven, subject to the approbation of the Crown. The corporation having construed "burgesses aforesaid," to mean "capital burgesses."

The present Recorder is the Right honourable the Earl of Powis. An entry in the corporation books of 13 October 1804, states, "that Earl Powis, who was elected recorder of this corporation on the 28th October 1801, produced His Majesty's approbation of him," &c. Qualification of Recorder.

The Earl was Governor General of Madras at the time of his election; and was earning military renown in India; and only possessed, constructively, as being a Peer, and a member of the High Court of Judicature, the qualification required by the charters, of being an "able lawyer learned in the laws of the land."

The functions of the Recorder have been already noticed; he is a justice of the peace and of gaol delivery, and one of the quorum (with the high bailiff) for holding the general sessions of the peace and delivering the gaol. Recorder, functions of.

The charter of Charles I. directs, that the magistrates, at the general sessions of the peace, shall not proceed to the correction or punishment of any person delinquent, by death, or taking away of members, without the presence, assistance or advice of the recorder of the borough for the time being.

These important functions, however, have never been discharged by the present recorder, who now resides within the county of Salop at the distance of a few miles from Ludlow, and has a house in the town. His lordship's attendance having been altogether confined to meetings of the corporation, at one of which he was present in July last, and at another on the charter day in 1831.

The Recorder has no Salary or emoluments; so that if the neglect of duty be complete, the want of encouragement is not less so. Recorder, Salary of.

The charter of Elizabeth provides, that whensoever it shall happen that any of the Aldermen or Common Councillors shall die, or from their offices for bad behaviour on their part be removed, the residue of the twelve and twenty-five, being the common council of the town, shall and may elect others in their places. Aldermen and Common Councillors, election of.

The practice is to fill up the vacancies among the aldermen by rotation; the senior member of the common council, who has served the office of low bailiff, being always chosen into the vacant place of alderman: the election, conformably to the same charter, is for life, unless the alderman be removed for any reasonable cause.

The Functions of Aldermen consist in the election of corporate officers, and the performance of other corporate acts; they have no privileges, salaries or emoluments. Functions of.

The earliest notice in any charter of the Town Clerk of Ludlow, is in that of James I., which provides, that the "common clerk of our town of Ludlow aforesaid, commonly called the 'Town Clerk' for the time being, is and shall be clerk of us, our heirs and successors of the said town of Ludlow," to take recognizances of debts according to the form of the Statute of Acton Burnell. Town Clerk, election of.

He is chosen by the thirty-seven, who are sometimes styled "the Council at large," subject to the approbation of the Crown, according to the charter of Charles II., as before stated respecting the recorder.

His election is during good behaviour in his office; he has uniformly been a burgess of the borough.

The present town clerk, Mr. John Williams, an attorney in Ludlow, was chosen unanimously on the 11th February 1830, and his appointment duly received the Royal approbation.

Besides being the legal adviser of the corporation, the Town Clerk acts as clerk of the peace and clerk to the magistrates; he assists also at the court of record, the records of which are committed to his custody, and he is steward of the court leet. Town Clerk, functions of.

The Town Clerk has a fixed salary of 57*l.* 18*s.* 4*d.* paid out of the corporation funds; he has the usual fees as clerk of the magistrates in petty sessions, of clerk of the peace at borough sessions, and as the officer of the court of record. Town Clerk, Salary of.

He receives also 1*l.* 1*s.* upon each inquest held by the coroner, and he is paid as a solicitor for business done for the corporation.

The office of Coroner for the borough was granted by the charter of 1 Edward IV., which provides, "that the aforesaid burgesses, their heirs and successors for ever, shall and may elect and constitute every year, on the aforesaid feast of the Apostles Simon and Jude, from among themselves, a coroner in the town aforesaid;" with full power and authority to exercise the duties of the office; and a non-intromittant clause for other coroners. Coroner, election of.

The Coroner is now chosen annually by the thirty-seven, or common council at large, from their own body. Instances have occurred, but rarely, of the same person serving the office for two successive years.

The charter of 1 Edward IV. further grants, that the Coroner shall perform the duties of sheriff in executing the precepts of the bailiffs and recorder or steward for the time being, and that he shall make return, and extend all juries, inquisitions, pannels, attachments and Coroner, functions of.

LUDLOW.

extents to them as justices of gaol delivery; and these privileges are confirmed by the charter of Charles I.

Coroner, Salary of.

The Coroner himself receives no salary or emoluments; upon each inquisition the town clerk receives 1*l.* 1*s.*; the jury 6*s.*; and the officer for summoning them 2*s.* 6*d.*; which fees are paid out of the corporate funds.

Serjeants-at-Mace, appointment of.

The Serjeants-at-Mace are appointed according to the charter of Eliz. by the thirty-seven, or council at large, to hold office for one year; but in practice the same individuals are commonly re-appointed, unless discharged for misconduct.

Functions and Salaries.

One of them executes the office of gaoler also.

They attend on the bailiffs, execute the civil process of the court of record exclusively (giving a bond to the bailiffs for the due execution of their office), and assist the constables in keeping the peace. For these services they receive a salary of 12*l.* 12*s.* each yearly, besides fees on service of process.

The gaoler has an additional salary of 25*l.* a year, with a house, rent-free, attached to the prison of the borough.

Beadles.

The four Beadles were appointed by the thirty-seven, or common council; of these the usher-beadle receives 5*l.* 5*s.*, together with the advantages of being an inmate of the alms-houses endowed from the Palmer's Guild Estate; the rest have 12*l.* 12*s.* each, and certain small fees, noticed hereafter on the swearing in of burgesses.

All of them are clothed at the expense of the corporation.

Crier.

The Crier proclaims the fairs, courts and elections, and for the execution of the duties of his office, receives 1*l.* 5*s.* a year, a suit of clothes, and certain fees.

Chamberlain or Chief Constable, election of.

Of the Officers of the Corporation not named in the earlier charters, the principal is the Chamberlain and Chief Constable; he is elected for one year, by the thirty-seven, or common council at large, from their own body. The present is Mr. Henry Lloyd, a solicitor resident in Ludlow, and one of the common councillors.

The office of chamberlain is first recognized in the abrogated charter of James II., and afterwards in that of William and Mary.

Chamberlain, functions of.

The principal duties of this officer used formerly to consist in keeping a portion of the accounts of the corporation, viz. those relating to the receipts from the different classes of tolls, and payments of tradesmen's bills; but in 1827, a new system of keeping these accounts was introduced, upon the change of the mode of remunerating the bailiffs with the proceeds of the bailiffs' lands; no part of the income of the corporation is now received by the chamberlain.

Chamberlain, expenses of.

No salary or emoluments whatever are annexed to the office of Chamberlain and Chief Constable; on the contrary, an expenditure of about 30*l.* is expected, and is usually made, in treating the constables during his year of office. He is not always chosen from the resident members of the council; Sir W. W. Wynne has filled the office. The duties appear to have been always performed by deputy; and it is now considered purely honorary, and is probably only preserved for the sake of the treats, and of perpetuating some ancient sports and pastimes celebrated on Shrove Tuesday by the burgesses of the different wards in Ludlow.

Auditors, appointment of.

The office of the six Auditors appears to have subsisted for above a century.

They are also appointed by the thirty-seven, or common council at large, from their own body, to serve for one year; the same individuals are frequently re-appointed; their duty is, to audit the accounts of the corporation once in the year, for which those who are aldermen receive a fee of 3*s.* 4*d.*; those who are common councillors, 2*s.* 6*d.*, and an annual dinner, called the Survey Dinner, the expenses of which appear as an item in the corporation accounts.

Supervisors of Estates, appointment of.

The twelve Supervisors of estates are elected in the same manner.

There is no fixed proportion of aldermen and common councillors in this body, and the same individuals are frequently re-appointed.

Their business is, to attend to the letting and management of the corporation estates; these comprehend many houses; and the meetings of the supervisors are frequent, but no allowance is made to them out of the corporate funds.

Accountant, appointment of.

The office of Accountant was first established on the 28th October (charter-day) 1832; this appointment is also made by the thirty-seven, or council at large. His duty is, to keep the corporation accounts, to receive the rents and other monies due to the corporation, and to place the same in the bank to their credit.

Salary.

The Salary is 25*l.* a year, and there are no other emoluments.

The present accountant, Mr. Thomas Pritchard, surveyor of taxes, is not a member of the corporation, nor even a burgess of Ludlow.

Steward.

The office of Steward was likewise created in 1832. There had been previously an officer of the corporation called the "Town Renter," whose duties were to keep an account of the rental, to look to the repairs of the property, and the letting of the lands, and generally to act in the management of the estates under the direction of the supervisors. This situation had been held by Mr. William Sheppard, the present steward, for about 22 years, at a salary of 75*l.* a year; he resigned it, and was appointed to his present office in Oct. 1832. His salary

salary as steward is 50*l.* a year. The appointment is by the council; he is one of the aldermen.

Freedom, how acquired.

The modes of becoming a free burgess of Ludlow are,—

1st. By birth:

All the sons of burgesses, whensoever and wheresoever born, are entitled.

2d. By marriage,—

All who marry daughters of burgesses, whether the marriage be before or after the admission of the father, are entitled.

3d. By gift,—

The thirty-seven, or council at large, have the right of creating burgesses without any restriction as to number. This privilege, however, has not at any time been largely exercised. On the 28th August 1802, the freedom of the town was conferred on Lord Nelson.

Duties, &c. of Freemen.

The charter of Edw. IV. ordains, that the burgesses, "their heirs and successors for ever shall be free and quiet, through all our land and dominion, from all tolls, customs, passage, murage, tonage, pavage, cartage, pontage, stallage, picage, pegage, payage, carriage, landage, strikage, pesage, scutage, hidage and wavidge, of and for all their merchandize whatsoever." In practice, however, this exemption is only claimed within the borough.

By the same charter "none of the aforesaid burgesses shall be put on assizes, juries and recognitions, or on any inquisitions to be performed of or concerning offences, trespasses or any other matters and things before any justices or ministers of us, or of our heirs to be taken, except within the town aforesaid, before the bailiffs of the same town, and this of things done within the town aforesaid and liberties thereof;" this privilege is fully recognized: several other immunities and privileges are conceded to the burgesses by this and the subsequent charters; but these alone require notice, as being in operation at the present day.

Election of Members of Parliament

Notwithstanding the *recital* in the charter of Elizabeth, that the Election of Members to serve in Parliament for the borough of Ludlow was in the thirty-seven (the Queen would seem to have been ashamed to *ordain* that it should be in them), that right was established by two several determinations of The House of Commons, in 1661 and 1690, to be in all the resident burgesses, and was accordingly exercised by them previously to the passing of the Reform Act.

Numbers of Freemen.

The Number of Burgesses upon the register in 1833 entitled to vote as resident within seven miles thereof, was 62.

The number resident within the limits of the borough was 37.

The number upon the same register of those entitled to vote in respect of property occupied in the several parishes within the said borough, by virtue of the Reform Act, was 336.

Ruling Body, how elected.

It sufficiently appears, from what has been already stated in this Report, how strictly the system of self-election has been established in the select body of the corporation of Ludlow; and the consequences have been such as from all experience might have been anticipated; a decided division in the community of the borough, jealousies, recriminations and litigation, pushed, on the most trifling occasions, to extremity.

In one case alone, relating to the imputed misconduct of the corporation in the case of Foxe's charity (noticed hereafter) the taxed costs of the solicitors, who took up the case long after it was first launched, amounted to 1,014*l.* 16*s.* 10*d.*, their bill amounting to 1,118*l.* 11*s.* 10*d.*

It was urged, indeed, that the corporation stood on the defensive, and that having been attacked, they knew that if they gave up a little, fresh assaults might follow. But the question may be asked, why were they attacked? would any assault have ever been made, if they had been a body fairly representing the burgesses, regardful of their interests, and in the habit of publishing, periodically, statements to prove that they were faithful guardians of their rights?

The corporation have been by no means niggardly of their money or services in promoting useful and beneficent institutions within the borough, and (as hereafter noticed), their administration of the corporate funds has not (at least of late) been obnoxious to much censure. The most influential members of the corporation appear, on some occasions, to have dealt munificently with the town; yet they have had the misfortune to continue unpopular. What other solution is there for this problem, than that, by those who are not members of the select body, whatever the select body has done well is set down to a selfish motive? And viewing the matter in connexion with the state of Parliamentary representation of the borough prior to the passing of the Reform Act, it is certainly not easy to pronounce such an opinion unjustifiable.

Fees on Admission to Freedom.

The following Fees are paid on admission to Freedom in all cases:—

	£.	s.	d.
To the town clerk and deputy	1	6	–
Three serjeants-at-mace, 2*s.* 6*d.* each	–	7	6
Bellman and crier	–	5	–
Three beadles, 1*s.* 6*d.* each	–	4	6
	£. 2	3	–

LUDLOW.

In addition to which, there is payable on admission to freedom—

	s.	d.
By birth	1	4
By marriage	6	8
By gift, 10*s.* 6*d.* to (varying)	13	4

exclusive of the stamps.

On Admission to Office.

On election into the common council, the following fees are payable:—

	£.	s.	d.
To the town clerk and deputy	1	6	–
Three serjeants-at-mace, 5*s.* each	–	15	–
Crier	–	10	–
Three beadles, 2*s.* 6*d.* each	–	7	6
	£.2	18	6

No fees are payable on admission to any other office, nor on taking the oaths, which are duly administered pursuant to the charters.

Courts, Criminal. Sessions.

The highest Criminal Court now held within the borough, is that of the general sessions of the peace, which is held quarterly in the same week as the county sessions.

The highest powers of justices of gaol delivery have not been exercised by the officers of the corporation within living memory, but the tradition prevails that, in former times, capital convictions took place at the borough sessions; and there is a place still called the Gallow Hill, where executions upon such convictions are said to have been done. For the higher offences, prisoners are now sent to Shrewsbury gaol for trial at the assizes; but such cases are exceedingly rare; no such commitment has occurred for many years, except one about three years ago for an attempt to procure abortion.

The presiding magistrates (as already stated) are the bailiffs, recorder, and capital masters, or justices, of whom the high bailiff or recorder must be one.

Generally both the bailiffs attend, or their deputies; but of late years the bailiffs have been ordinarily resident, and the deputies have not been required to act. The last non-residence of a high bailiff was in 1828, and of a low bailiff in 1830.

The jurisdiction is strictly exclusive within the limits of the borough; the castle, however, and its purlieus (in which some dwelling-houses are comprehended), are probably not to be considered within the limits of the borough.

The proceedings differ in no respect from those of other courts of quarter sessions.

The fees are stated to be lower than at the county sessions, and are accounted moderate:

They allow for—

	£.	s.	d.
Drawing brief	1	1	–
Examining witnesses	–	13	4
Attending sessions	1	1	–
Indictment, from 2*s.* to	–	4	–

The whole costs of a prosecution in ordinary cases, where no witnesses are brought from a distance, are from 3*l.* to 5*l.*

The sessions very rarely last more than one day, and frequently two or three successive sessions occur without one case for felony.

At Michaelmas sessions 1833, there was one felony and one misdemeanor.

Court Leet.

The corporation, being lords of the manor, hold also a Court Leet annually, at which eight constables are sworn in, and the clerks of the market are appointed.

No other business is transacted thereat.

The town clerk is steward of the leet.

Petty Sessions.

Petty Sessions are held on Tuesday in every week, before two of the borough justices, and frequently three or four times in the week.

The fees are the same as those allowed by the judges in 1803, to be taken at the petty sessions before county magistrates.

Civil Court of Record.

The Court of Record is held every Tuesday, the bailiffs, or in their absence their deputies, presiding, pursuant to the provisions of the charters of Edward IV. and of Charles I.

The charter of Queen Mary has removed certain doubts and difficulties as to the holding of this court; it recites the charter of Edward IV., and, that it doth not manifestly express, that, in the event of one of the bailiffs dying, "the actions, pleas and plaints in the court of the town aforesaid, which by the letters patent aforesaid of the late King aforesaid, ought to be held before the bailiffs of the town aforesaid, may be held before the other surviving bailiff;" and it proceeds to provide that as often as the bailiffs, or either of them, shall die before the end of their year, the burgesses shall and may choose others in their place, who "may hold, by plaints in the same court to be levied, all manner of pleas aforesaid in the aforesaid letters patent of the aforesaid late King Edward IV. specified, in such sort and in as ample manner and form," &c. All manner of actions, real and mixed, as well as personal, and to any amount, may be tried in this court. Fines are levied and all proceedings had in real actions.

It has not happened, however, that any trial of an ejectment has occurred for several years, though proceedings in such actions have been instituted.

The civil court is accounted a benefit to the town by the inhabitants in general.

The

The cause of action must arise and the process must be served within the limits of the borough.

The process is by summons and capias. In the affidavit to hold to bail, the plaintiff must swear that the cause of action arose within the jurisdiction of the court.

The proceedings are assimilated, as nearly as possible, to those of the Common Pleas at Westminster. The pleadings are in writing, and are filed. Judgment, in an ordinary case, may be obtained in five or six weeks.

Actions are usually entered for the recovery of debts of small account; but parties are sometimes held to bail for large sums, and as much as 600*l.* or 700*l.* has been recovered; but the facility of removing causes by *habeas corpus*, or *certiorari*, diminishes the efficiency of the court.

It is intended to shorten the pleadings, and to adopt the forms now in use in the courts above.

A table of all the fees paid in this court is sent with this Report.

All attornies of the courts above are admitted to practise here, upon application; a fee of 10*s.* 6*d.* is payable to the town clerk on admission, but it is never charged by him.

Pie Poudre.

A court of Pie Poudre is recognised by the charter of Edward VI.; and there is a tradition of its having been formerly held at the fairs; but the only trace now remaining is the distribution of cake and wine made by the bailiffs at the fairs, and noticed at p. 8.

Juries.

According to the provisions of the charters of 1st Edward IV. and Charles I., the coroner makes out the list of all Juries, and returns them to serve as well at the general sessions, as in the court of record, and on inquisitions.

The town is divided into four wards, and the coroner takes six jurymen from each ward to form the grand jury. In practice, this duty is performed by the coroner's clerk, who selects from the poor's-rate the names of the more substantial tradesmen in the town.

The grand jury dine with the corporation, and at their expense; and their attendance accordingly is cheerfully given.

The petty jury are selected in the same manner. They are allowed 2*s.* 6*d.* a-piece in lieu of the dinner; 24 are summoned.

The juries for the court of record are also taken in the same manner; they are paid 6*d.* on each cause by the parties.

The coroner's juries are taken from the householders resident in the immediate neighbourhood.

On the average, there are four or five inquests yearly; upon every inquest the jurors receive 6*d.* each from the corporation; the parish pay the surgeon who attends as a witness before the coroner.

Police.

The ordinary Police of the town consists of the chief constable, and eight constables appointed at the leet, two for each ward.

The serjeants-at-mace assist the constables in visiting the public-houses, and in preserving good order in the town.

Special constables are sworn in at the fairs and at contested elections, and on other emergencies.

Two of the beadles, by the direction of the magistrates, perambulate the town to take up vagrants. There is no regular night-watch, but watchmen are employed at the expense of individuals, and are paid by private subscription.

The police is regulated by the borough justices.

Some difference of opinion seemed to exist as to the efficiency of the ordinary police of the town; if the officers be tolerably active and intelligent, they must be sufficiently numerous, since the population scarcely exceeds 5,000 souls.

The borough justices are certainly not remiss in timely precautions, inasmuch as the possibility of popular commotions to be excited by the Municipal Inquiry was anticipated by swearing in 20 special constables.

There was nothing, however, in the peaceable behaviour of the assembled audience to invite the interference of these extraordinary ministers.

Gaol.

The borough Gaol is the property of the corporation, and was built by them in 1764.

One of the serjeants-at-mace is the governor, and resides in a house communicating with it.

There are separate cells for different classes of prisoners, and distinct apartments for the debtors, of whom, however, there had not been one for the last two years.

One vagrant was the sole occupier of the gaol during the Municipal Inquiry.

The borough magistrates superintend the management of the gaol, and occasionally visit it.

House of Correction.

There is a workhouse, belonging to the parish of Saint Laurence, Ludlow, endowed with the annual sum of 20*l.* paid out of the revenue of a charity, known by the name of "Lane's Benefaction."

Questions have been raised as to the partial application thereof to the purposes of a house of correction. But as the whole matter has been under inquiry before the Commissioners of Charities [*see* Report iii. p. 292], it is deemed inexpedient here to do more than refer to their Report.

Fines.

The charter of Elizabeth provides, that if any elected to the offices of head bailiff, low bailiff, alderman, common councillors, or of any other officers or inferior ministers of the borough, having had notice of such election, shall refuse or deny office, "then and so often it

LUDLOW.

it shall and may be lawful for the 12 aldermen or principal councillors, and the 25 common councillors of the same town or borough, or the major part of them, to commit him or them so refusing or denying to exercise that office, or those offices, to which he or they shall have been so elected and named, to the gaol of the town or borough aforesaid, there to remain until he or they shall be willing to exercise that office or offices; and also reasonable fines and amerciaments upon such persons refusing to lay and impose, &c., and him or them so refusing and denying, in the gaol of the town or borough aforesaid to detain until those fines or amerciaments are or shall be paid to the use of the town or borough aforesaid."

This power, however, has not been exercised within living memory; nor do any entries appear in the corporation books, nor does any tradition exist on the subject. No fines have been imposed under any bye-laws.

Fines in restraint of trade (hereafter noticed) have been imposed and levied by the incorporated companies of Hammermen, Cordwainers, Stitchmen and Butchers, but independently of the corporation, who were never parties to the actions brought in the court of record for the recovery of such fines.

Property. Palmers' Guild.

A considerable portion of the property of the corporation of Ludlow consists of houses and lands, formerly parcel of the possessions of the Palmers' Guild, at Ludlow; and all their patronage is also derived therefrom. The Palmers' Guild was a religious fraternity, whose revenues were devoted to pious and charitable purposes, and who were governed by a warden and three priests, and resided in a collegiate house situate in the town of Ludlow.

It is noticed shortly in Camden, thus:

"Here was a Gilda Palmariorum B. Mariæ before 3 Edward III., whose lands at the dissolution were granted to the corporation."

The foundation and the objects of this society are described in the charter of Edward VI.:

"And we, by the supplication of the said bailiffs, burgesses and commonalty of the town or borough aforesaid, understanding that certain burgesses, the predecessors of the now burgesses of the town or borough aforesaid, of their pious devotion, erected, constituted and ordained the said guild or fraternity to be serviceable to laudable and pious uses, (to wit) for the sustaining and relieving the poor and impotent, and also for the supporting and maintaining a grammar-school, in which children and youth might be instructed, and for other pious uses, the said messuages, and all and singular other the premises to the said guild or fraternity, had been given and granted."

The circumstances under which that charter was granted, whereby the possessions of the Fraternity or Guild of Palmers were vested in the corporation of Ludlow, may be collected from a survey, intituled, "The Particular of the Guild of Ludlow, in the County of Salop, upon which, letters patent were granted to the bailiffs, burgesses and commonalty of the town of Ludlow, in the county of Salop, in the sixth year of the reign of the late King Edward VI., now remaining amongst the records of the late court of augmentation of the revenues of the Crown; the tenor of which particular follows, in these words (to wit)."

It then specifies particularly all the tenements and burgages, with the names of the several tenants, and the rents paid by them respectively. And a memorandum is appended, "that at such times as the King's commissioners, lately authorized for the survey and dissolution of certain colleges, chantries, &c. by Act of Parliament lately given unto the King's Majesty, called before them the warden and divers others the governors of the said guild or fraternity; the said warden and brothers showed before the said commissioners the confirmation of the same guild made and granted unto them by the late King of most worthy memory, King Henry the Eighth, under his great seal of England, supposing that the same guild, by means thereof, was not within the compass of the said statute. Whereupon they were by the said commissioners referred to the further ordering of the chancellor and council of the King's Majesty's court of augmentations, and revenues of his highness's crown, by whom the surveyor was commanded not to meddle with the revenue of the said guild, for divers considerations, until the King's pleasure were further known therein; so as his Majesty has not yet been answered of any profits of the revenue of the same."

By deed under their common seal, dated 1st June 5th, Edward VI., and acknowledged by them in chancery the 11th June aforesaid, the warden of the Guild or Fraternity of Palmers of the Blessed Virgin Mary in Ludlow, in the county of Salop, and the brothers and sisters of the same guild or fraternity, did give, grant and confirm unto King Edward VI., all, &c. (their possessions whatsoever in the kingdom of England, in the amplest terms), to hold to the said King, his heirs and assigns for ever, to the proper use and behoof of the said King, his heirs and assigns for ever.

This surrender was immediately followed by a grant from the Crown of the premises "to the bailiffs, burgesses and commonalty of the town of Ludlow, in the county of Salop, and to their successors for ever; (confirmed by the letters patent aforesaid) "to hold the same in free socage, and yielding therefore yearly to the King's Highness, his heirs and successors, 8 *l.* 13 *s.* 4 *d.*, to be paid to the receiver of the court of the augmentations and revenues of his Highness's Crown, at, &c.: And the said bailiffs, burgesses and commonalty, and their successors, always to find in the same town, at their own costs and charges, a free grammar-school, with a schoolmaster and usher, for the erudition of youth in the Latin tongue, and also 33 poor and impotent people, and every of them, to have a chamber and 4 *d.* weekly; and also one honest learned man to preach God's Word, which shall be named the preacher of the town of Ludlow, and one honest and discreet minister to assist the parson there in the ministration of the divine Sacraments and services there, which shall be called the assistant

to

to the parson of the parish of Ludlow. And the said schoolmaster, usher, preacher and assistant, and every of them, to be nominated and appointed by the discretion of the said bailiffs, burgesses and commonalty; and the said bailiffs, burgesses and commonalty to have the issues and profits of the premises from the time that the premises come to the King's majesty's hands."

This grant is immediately followed by a memorandum of the acceptance thereof by the bailiffs, burgesses and commonalty, signifying that they "do require to have in gift of the King's majesty, the lands, tenements and hereditaments contained and specified in the particulars hereunto annexed." Given under their common seal, the 8th June, fifth Edward VI.

These particulars are "taken from an inspeximus exemplified under the seal of the Court of Exchequer, at the request of the bailiffs, burgesses and commonalty of the town of Ludlow aforesaid, the 26th June, 9th James I., 1611."

Property. Estates. Houses and Fields.

This property principally consists of houses in Ludlow, and of small parcels of land, for the most part meadow or pasture, in its immediate vicinity.

The houses are let at very small rents, varying from 3*s.* to 6*s.* per annum, upon leases for 31 years, renewable on payment of small fines certain. It is not known when or upon what conditions these leases were originally granted out by the corporation; no document in their present custody throws any light upon the question. As far as living memory or tradition can be carried, the leases have contained covenants for perpetual renewal, and in that form they are continued. The covenant, on the part of the corporation, to renew at the determination of the term, on payment of the same fine and subject to the same conditions, &c., contains a proviso, that seven years' notice thereof shall be given by the lessee to the bailiffs, or in default thereof interest be paid for the lapsed period. In practice, the lessees generally permit the lease to run to the end of the term, and pay interest for the lapsed time. Upon assignment of these properties there is a mere nominal fine of 2*s.* 6*d.* payable. They cannot be assigned without the license of the corporation first obtained in writing; yet the property is estimated to be nearly as valuable as freehold.

The lands surrounding the town are leased almost wholly upon a system called "half-rack, half-fine," for terms of 21 years. The mode of calculating and fixing the fine is simple; the land is put up to auction, the biddings upon which sale are to determine the annual rent. The highest bidder takes the land for the 21 years, subject to a *moiety* only of the rent thus bidden; and he pays a fine amounting to four years' purchase of the entire rent bidden; one-half of the rent is said thus to be fined off, and the land to be held at "half-rack, half-fine."

The principle upon which the fine is thus calculated (whatever its accuracy), is familiar to the inhabitants of the town and neighbourhood, who regulate their biddings, and accommodate their transactions according to the practice. Due notice is given generally of the auctions. Previous to the alteration in the mode of compensating the bailiffs (already noticed), the bailiffs' lands used to be let on leases for 21 years, at rack-rent, without fines. Since that time, where the leases have fallen in, these lands also have been (in most instances, though not in all), re-let "half-rack, half-fine."

Open competition is stated to be afforded in all cases, and no preference given to persons connected with the corporation.

Farms.

The corporation possess also the following farms: Foulgate farm, in that part of Ludford parish, which lies in Shropshire, containing 89 A. 3 R. 27 P.

Let to the present high bailiff in 1819, half-rack, half-fine, for 21 years; rent bidden, 300 *l.*, so that the fine was 1,200 *l.*; rent payable, 150 *l.* It is very dear at that rent in these times; they have also,

	A.	R.	P.
Ashford Carbonnel farm, half-rack, half-fine	113	3	35
Bower farm - - - - - - ditto	216	1	17
Overton farm, rack-rented	38	—	32
Sprosely farm, half-rack, half-fine	100	—	19
Great Shote farm - ditto	114	2	15
Great Shote, other lands on lease for lives	47	1	15
Cleobury farm, half-rack, half-fine	35	2	33
Brookhampton farm - ditto	68	1	39
Stanton Long farm - ditto	98	—	17
Aston farm - - - ditto	9	2	13

They have also a house and lands at Leominster, in the county of Hereford, in respect of which an ancient reserved rent of 20*s.* per annum is payable.

From the 'Particular' before cited, it appears that among the possessions of the Palmers' Guild, at the date of their transfer to the corporation, were some lands in the county of Wilts.

The disappearance of this property is accounted for by the circumstance of the corporation having from time to time exchanged lands lying at a distance from Ludlow for others more conveniently situated.

Income and Expenditure.

In stating the income and expenditure of the corporation of Ludlow, it will be convenient to distinguish between their accounts prior and subsequent to 1827. Before that time three distinct accounts were kept by the bailiffs, chamberlains and town renters for the time being; an accountant from London, Mr. Groom, recommended by Sir J. Lubbock & Co., was then retained

LUDLOW.

retained by them; he investigated the accounts, and made a report, in pursuance of which, the accounts have been since consolidated, and an entirely new system of keeping them adopted.

A detailed statement of the income and expenditure of the corporation, as stated in these three several accounts, for a period of 20 years antecedent to 1827, accompanies this Report. It will be sufficient here to refer to that statement, and to give its general result, which is as follows:

Abstract for 20 years to 1827.

ABSTRACT of Bailiffs', Chamberlains' and Town Renters' Accounts for the last Twenty Years, consolidated 1827.

	RECEIPTS. £.	s.	d.	PAYMENTS. £.	s.	d.
Bailiffs' Accounts, 1807 to 1826, both inclusive; viz.						
Receipts for charities	159	11	1			
Fines for leases and renewals	8,660	5	2			
Fees on licenses to alienate	17	19	–			
Burgesses' fines on being sworn	13	7	4			
Money borrowed	500	–	–			
Payments for charities	–	–	–	207	1	1
Sundries	–	–	–	6,549	12	2½
Chamberlains' Accounts, 1807 to 1826, both inclusive; viz.						
Receipts for tolls of grain	440	2	–			
Bridge tolls	466	19	4½			
Cattle ditto	260	13	6			
Scales and weights	141	12	9			
Sundries	565	1	3			
Payments for tradesmen's bills	–	–	–	11,887	14	6½
Town Renters' Accounts, 1808 to 1827 (5th April), both inclusive; viz.						
Receipts for rents of corporation lands	29,973	10	5			
Weighing machine	78	6	2			
Sale timber	220	10	7½			
Water-works	940	9	6			
Borrowed money	1,300	–	–			
Charity dividends, &c.	535	2	6			
Payments for charities and salaries	–	–	–	13,100	12	–
Bills and orders	–	–	–	8,549	2	4½
Property tax	–	–	–	1,179	3	2½
Land tax	–	–	–	635	8	8½
Debts paid off	–	–	–	982	7	9
	42,273	10	8	43,091	1	10½
Balances at commencement, handed over to — Bailiffs £. 31 19 2; Chamberlain 734 – 8½; Town Renter 662 17 10½	1,428	17	9			
Difference	–	–	–	2	–	11½
Balance in Town Renter's hands 5th April 1827	–	–	–	609	5	7
£.	43,702	8	5	43,702	8	5

Amount of Fines on Renewal.

The fluctuations in the amount of Fines received for leases and renewals in different years are very great. The two highest in the foregoing 20 years were—

	£.	s.	d.
In 1820	1,843	8	11
1819	1,141	14	7
The two lowest 1817	10	2	–
1825	Nil.		

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LUDLOW.

The following particulars, extracted from the corporation accounts since 1829, will tend to exhibit the present state of their finances :

Annual Account, 1832–3.

ANNUAL ACCOUNT, from 29th September 1832 to 29th September 1833.

PAYMENTS.	£.	s.	d.	RECEIPTS.	£.	s.	d.
Salaries	711	14	8	Rental (including arrears of former years received)	2,992	15	9½
Almshouses and poor	247	9	6	Fines	—		
Subscriptions	102	7	—	Fees on alienation	—		
Charities	10	15	—	Fees on admission	—		
Tradesmen's bill	1,049	18	9	Bridge tolls	2	8	9
Sundries	353	16	1	Sundries	15	—	—
	2,476	1	—		3,010	4	6½
Arrears of rent due Lady-day	1,010	2	7	Balance	475	19	–½
	£. 3,486	3	7		£. 3,486	3	7

This large amount, however, of arrears of rent arises from the indulgence allowed to the tenants of the corporation, who are not required to pay their Lady-day rents till the ensuing Christmas; and, of course, this is only an apparent defalcation.

The following is a Summary of the ANNUAL ACCOUNT, from 29th September 1831 to 29th September 1832 :

Annual Account, 1831–2.

PAYMENTS.	£.	s.	d.	RECEIPTS.	£.	s.	d.
Total disbursed	2,656	5	4¾	Rents, &c.	3,317	4	5½
Balance brought forward	613	19	7	Bridge tolls	2	14	—
	3,270	4	11¾	Sundries	49	3	—
Arrears of rent due Lady-day	1,062	5	9		3,369	1	5½
				Balance	963	9	3¼
	£. 4,332	10	8¾		£. 4,332	10	8¾

In this year, from one lessee alone, a fine upon renewal, amounting to 450*l.*, was received; and the rents payable, amounted to the sum of 2,177*l.* 19*s.* 5½.

ANNUAL ACCOUNT from 29th September 1830 to 29th September 1831.

Annual Account, 1830–1.

PAYMENTS.	£.	s.	d.	RECEIPTS.	£.	s.	d.
Salaries	743	8	8	Rents, &c.	2,728	2	4½
Almshouses and poor	250	14	—	Fees on admission	—	8	—
Subscriptions	177	12	—	Bridge tolls	4	18	—
Charities	10	15	—	Sundries	29	8	—
Tradesmen's bills	1,140	15	7		2,762	16	4½
Sundries	228	5	2	Balance due to Corporation brought forward	219	4	11
	2,551	10	5	Balance due to Town Renter	613	19	7
Arrears of rent due Lady-day	1,044	10	5½				
	£. 3,596	—	10½		£. 3,596	—	10½

SUMMARY of ACCOUNT, from 29th September 1829 to 29th September 1830.

Annual Account, 1829–30.

PAYMENTS.	£.	s.	d.	RECEIPTS.	£.	s.	d.
Total disbursed	£. 3,248	17	1½	Total received	2,584	1	6
Arrear	31	9	6	Balance due to Corporation, brought forward	915	10	–½
Balance due to Corporation (carried forward to credit)	219	4	11				
	£. 3,499	11	6½		£. 3,499	11	6½

LUDLOW.

Rental for six years.

Since 1827, the rental of the corporation lands and houses, including all the small reserved rents on the renewable leases, has stood as follows:

Year ending 29th September.	Number of different Holdings thereof.	Gross Annual Rental.
		£. s. d.
1828	224	1,579 15 4
1829	257	2,382 7 1
1830	256	2,396 12 4
1831	246	2,165 15 4
1832	248	2,177 19 5½
1833	243	2,120 8 8½

Tolls.

The charter of Edward IV. ordains, that the bailiffs and burgesses, their heirs and successors for ever, "by the hands of certain of the good and lawful men of the same town, whom they shall think fit from time to time to depute for that purpose, for the reparation, emendation and fortification of the bridges, ports, towers and walls of the town aforesaid, and for the munition and defence of the same town, in the resistance of the rebels of Wales and the Marches thereof, may take, receive, and have yearly for ever, all and singular the customs under-written [a long specification follows], for every other merchandize not herein specified of the value of 5*s.*, one penny of all things coming or brought for sale to the town aforesaid."

Tolls on Grain.

The Tolls of Grain which in 1811 produced 109*l.* 5*s.* and which appear to have averaged previously above 63*l.* yearly, became wholly unproductive after the decision of the Judges in 1812 (in the case of Hill *v.* Smith, in error, 4 Taunt. 520,) had established that a prescription for toll in respect of goods sold by sample in a market, and afterwards brought into the city to be delivered, cannot be supported.

Bridge Toll.

The collection of the Bridge Toll is also greatly relaxed. Down to 1818 it appears to have averaged about 35*l.* yearly. It has since rapidly declined; and though sometimes exacted from parties who do not choose to remonstrate, it now produces only from 2*l.* to 5*l.* per annum.

Tolls of cattle, pigs and sheep are still demanded in the markets by the lessee of the corporation, who took the tolls by auction about 16 years ago, at the yearly rent of 15*l.*, but who indemnifies himself against all possibility of loss, by bringing in a bill of the defaulters who refuse to pay toll, and withholding all payment of rent unless the tolls are enforced.

Considering how injurious to the prosperity of the town and detrimental to the popularity of the corporation, these impositions are, and how insignificant a source of revenue they prove to be, under present circumstances, it would seem expedient to relinquish them altogether. This sentiment indeed appears to prevail with the most influential members of the corporation itself, who feel, however, that they have no power to bind their successors in this matter. At all events, if the tolls are to be collected, it should be by some certain rule, and not according to the vague notions and random exactions of a collector, who seems to hold himself accountable to no man.

Tolls on Cattle.

The Cattle Tolls now claimed by the lessee as payable to the corporation are—

For every beast actually sold within the liberties of the borough on market days and fairs	2*d.*
For every score of sheep ditto	8
For every pig ditto	2

The tolls authorized by the charter of Edw. IV. are—

For every horse, mare, ox and cow for sale	–½*d.*
For every five hogs for sale	–½
For ten porkers	–½
For ten sheep, goats and pigs for sale	1

According to the present value of money, these tolls are undoubtedly heavier than those now claimed. But the charter requires that "the sums of money from the customs aforesaid yearly arising shall be applied and expended from time to time towards the emendation, reparation and fortification of the bridges, ports, towers and walls aforesaid, in providing for the defence of the same town," objects which have long since ceased to have any existence.

Tolls on Wheels.

A claim of 1*d.* per Wheel upon Carts is likewise made, but generally resisted; and this wheel-money forms part of the lessee's set-off against the corporation. The charter authorizes for every cart loaded for sale, a toll of 1*d.*

Debt.

The Debt of the corporation consists of the following items:

	£.
1. On bond to Mr. Downes, at 4½ per cent.	1,000
2. On ditto to Earl Powis	300
3. On ditto to Mr. Foxton, at 5 per cent.	500
	£. 1,800

The

The first item was borrowed, about the year 1805, in order to purchase from the Crown a moiety of the mills at the foot of Old-street and Mill-street, which still form a part of the corporation property. The interest has been reduced from 5 to 4½ per cent.

The second sum was borrowed in 1811, for the purpose of enabling the corporation to pay off a debt incurred five or six years before, in clothing and equipping a volunteer corps raised in the borough. It was agreed that no interest was to be paid to the Earl for the first three years, and none has been ever, in fact, enforced or paid. The last item was borrowed in 1816, with a view to the purchase of some property in Brand Lane for the erection of a national school.

It is to be observed, that while the sums, all of which were applied to objects more or less meritorious, were in the course of being borrowed, debts to the amount of not less than 982*l.* 7*s.* 9*d.* were liquidated by the corporation; and the praise must not be withheld from them of having, for a long period of years, displayed great regularity and minuteness in keeping their accounts, earnest endeavours to avoid embarrassment in their finances, and less of idle, corrupt or profligate expenditure than is usual with corporations having the command of such a revenue.

Publication of Accounts.

The accounts, thus regularly kept by the accountant, are submitted once a year to the inspection of the auditors, who make a report thereon at a chamber meeting.

All the members of the common council at large have access to the books. But there is no other publication than this of the accounts; nor has any application ever been made for any farther publication.

The earliest account book produced was headed, "The accounts of Thomas Vernon, as Low Bayliffe of Ludlow, from the 28th October 1722 to the 28th October 1730."

And from that period they appear to have been regularly kept, down to the present day.

Law Expenses.

It will be seen, by reference to the statement which accompanies this Report (F.), that from the year 1807 to 1827 inclusive, no less a sum was expended by the corporation in litigation than 2,557*l.* 1*s.*

A large proportion of this expenditure was incurred in a long course of litigation (from 1814 to 1827) arising out of certain proceedings in the Court of Chancery, instituted against the corporation, for breach of a trust (created under the will of Charles Foxe, esq. in 1590, and taken upon themselves in 1771), in having pulled down St. Leonard's chapel in Corve-street, Ludlow, and converted and disposed of the timbers, pews, stones, bell and other materials of the said chapel to unhallowed uses.

These proceedings, which run to a great length, are detailed in the documents accompanying this Report; and as they have been the subject of inquiry by the Charity Commissioners [Report, p. 290], it is not thought proper to notice them farther here.

Buildings upon Leasehold.

A practice prevails, almost uniformly with the corporation, of allowing to their tenants, in all cases where Buildings of importance have been erected by them on the corporation property, a compensation, which is assessed by valuation, for the expenses so incurred by them; or, otherwise to allow the tenants to remove the materials of such buildings.

It is obvious that this practice is calculated to lead to and encourage sinister influences among the corporate body; but one case only was brought under notice involving even the suspicion of the supposed exercise of such influence in the recent transactions of the corporation. Among the items of expenditure for the year 1832–3, is an entry of an allowance of 65*l.* to Mr. Russell, for buildings erected by him on the corporation property. This gentleman has been, on very many occasions, either bailiff or deputy bailiff; and the entire quantity of land held by him under the corporation amounts only to 1A. 1R. 8P. He occupies, however, a farm contiguous to the corporation lands, under the Hon. Mr. Clive.

The land held under the corporation was taken by him at an exceedingly high rent, upon lease for 21 years; and the buildings in question, consisting of a barn, sheds for cattle, and other farming conveniences, were erected by him for the more commodious occupation of Mr. Clive's land.

Upon the expiration of his lease under the corporation in February 1833, he claimed, and was allowed upon valuation, a compensation for the erection of these buildings, amounting to the sum above mentioned. Nothing unfair in the survey or valuation was imputed; and it is stated, that the corporation hold lands to a considerable extent adjacent to Mr. Russell's, to the more convenient occupation of which these buildings might prove serviceable.

The lease was renewed to him at 10*l.* rent, from year to year, without any public notice or competition. About two-thirds of the 1A. 1R. 8P. consist of land vested in the corporation under Evan Phillips's charity; but the buildings are wholly erected on the corporation freehold.

Church Window.

Several entries in the books relate to a painted Window in the parish church of Saint Lawrence, which has proved a costly piece of ornament to the corporation. The estimate appears to have been that it should not exceed a cost of 250*l.*, but 406*l.* 10*s.* has been paid, and something still remains due. An ineffectual attempt appears to have been made in Oct. 1825, to struggle out of this extravagance, by appointing a committee to examine and report upon the window.

Water-works.

Considerable items are found in the accounts paid from time to time to the plumber of the corporation. The supply of the town with Water has been amply provided for at their expense; partly from three springs, situate at a distance of above a mile and a half from the town, from whence the water is conveyed by leaden pipes, and partly with water raised from the river Corve by machinery.

LUDLOW.

A small rate is levied upon each inhabitant porportioned to the supply; the annual sums received from this source, from 1807 to 1827, appear in the Town Renter's accounts (D.) and they averaged, during that period, about 50*l.* per annum.

Volunteer Corps.

An item appears in 1805 of 100*l.* advanced to Richard Solway, esq., commanding officer of the Ludlow Volunteer Infantry. This forms a portion of the debt, subsequently incurred, to Earl Powis, as already stated; the amount having been applied to the general purposes of the corps by their commanding officer, who is a gentleman of fortune resident in the neighbourhood.

Election Dinners.

Upon the election of the bailiffs, it seems to have been formerly the practice, notwithstanding the large revenues appropriated to their exclusive use, to charge their inauguration Dinner upon the corporate purse. Thus in 1798 the corporation are debited 25*l.* 5*s.* 6*d.* for the "Election Dinner."

Expense of Hustings, &c.

On the recent contested election for Members to serve the borough in Parliament, the corporation, deeming it, as was said, a fit public occasion, took upon themselves to defray the expenses of Hustings, and other incidental costs of the like nature.

The whole expense, including hustings, poll clerks and police, did not amount to 30*l.*, and the candidates were at no charge whatever.

	£.	s.	d.
The Joiner's bill for Hustings was - - -	14	14	10½
Serjeants' and constables' attendance - - -	6	–	–
Ale for beadles - - - - - - - -	2	7	–

Patronage. Palmers' Guild.

The origin of the Patronage of the corporation derived from the Palmers' Guild, has been already adverted to.

The present state of that patronage remains to be noticed.

Grammar School.

The charter of Edward VI. ordains, that the bailiffs, burgesses and commonalty "of the issues and profits of the premises, shall keep, observe and continue the said Grammar School in the aforesaid town of Ludlow, for the educating, instituting, learning and instructing of children and youth in grammar, from henceforth for ever; and that school is to be kept by one master and one usher."

Master.

The present Master, who is also preacher or lecturer, appointed in pursuance of the same charter, is the Rev. John Hinde, perpetual curate of Ludford, within the borough. His duties are, to instruct the free boys in grammatical knowledge in the Greek, Latin and English languages. All duly qualified by residence within the borough, and, being able to read tolerably, are admitted upon application; and are charged three guineas yearly for tuition in writing and arithmetic. Yet the number of free boys does not at present exceed 25 or 26, including the junior free boys, who are under the care of the usher.

The salary of the master is 100*l.* a year, with a house and garden rent-free, which might let for 50*l.* a year; and he is permitted to take private pupils as boarders, the number of whom has varied from 25 to 40. This permission was said not at all to interfere with the instruction of the free boys, who are classed together with the private pupils of equal acquirements; but the very limited extent to which this charity has been rendered available to the inhabitants of the town, indicates something amiss in its management.

In 1829, a sum of 500*l.* was allowed out of the corporate funds to Mr. Hinde, to rebuild the back part of his house. It had been examined, on the part of the corporation, by two surveyors, who reported it in an unsafe state, and not fit for the accommodation of the master's family.

In addition to the sum of 500*l.* thus voted by the corporation, Mr. Hinde expended nearly 300*l.* from his private purse upon the repairs and enlargement effected at that time. The specification was made by a surveyor employed by the corporation.

The master has an assistant, and occasionally two, retained and paid by himself, independently of the under-master. He pays the King's taxes for his house.

Usher.

The under-master (in the charter, "Usher") has a separate school, with a salary of 60*l.* a year, and a house and garden rent-free, and free of parochial, but paying King's taxes. They are worth about 20*l.* a year.

He is appointed by the corporation, and his duties are, to instruct the junior free boys, 10 or 12 in number at present. He has no private pupils.

Preacher.

The charter of Edward VI. further ordains, that "of the rest, one discreet, able and fit person, learned in Holy Writ, a man famous for innocence and integrity of life, be and shall be made, by whom the holy Evangelists may be incorruptibly expounded, and for the administration of the sacrament, according to the Word of God, and apostolic observation, who shall be and be called the Preacher," &c.

The salary of the preacher (who is the present master of the grammar-school above mentioned) is 47*l.* 13*s.* 4*d.*, and he has also a house rent-free, which he underlets for 20*l.* a-year.

He is appointed by the corporation, and is now called the Lecturer.

His duties are, to preach a sermon at the parish church every Sunday afternoon, and to read prayers there at the evening service on the first Sunday in every month.

He has no occasional duty, or fees.

Assistant to the Rector.

The same charter, reciting that the "said town or borough of Ludlow aforesaid is very populous, and filled with many families, so that one minister alone is not able to attend and execute duly, in such multitudes of townsmen frequenting, those things which to the office and charge of a pastor belong," ordains that "an able and fit person be Assistant chosen to the rector

rector of the parish there, in partnership of his function and charge, who shall be and be called assistant to the rector," &c.

A departure from the name prescribed by the charter has taken place in this case also, this functionary being now called the "the Reader."

The present is the Rev. Robert Meyricke, B. A., of Queen's College, Cambridge.

He has a salary of 85 *l.* a year, and a house rent-free, which is underlet for 12 *l.* 10 *s.*

His duties are, to perform daily service at the parish church of St. Lawrence; and on Sundays, service twice, and occasionally three times in the day.

He also does part of the occasional duty of the parish in visiting the sick, and baptizing; but receives no fees for such service.

The daily service is, except on Sundays, very thinly attended, but always performed.

Removal of Master, Usher, Preacher, and Assistant.

There is a power in the same charter for the bailiffs, burgesses and commonalty, "from time to time, when it shall be necessary, by their discretion, the said schoolmaster of the school aforesaid, usher, preacher of the town or borough aforesaid, and assistant to the rector of the church aforesaid for the time being, and also the poor indigents there being, and every of them, for causes and occasions which to them shall seem just and reasonable, to change and remove," and others, &c., to name, elect and admit.

Poor Indigents.

The "Poor Indigents" above mentioned, according to the charter, were to be 33 in number, and to receive "every of them four-pence every week annually, and also one chamber for every of them to live in, to be continued for ever."

The corporation still appoint the same number to the almshouses erected with the funds of the charity; but each of the objects of the charity now receives 2 *s.* 6 *d.* per week: the appointment is now practically left to the 12 supervisors.

Organist.

The corporation pay also a salary of 30 *l.* to the Organist of the parish church; an ancient payment of 4 *l.* per annum is said to have been made by the Palmers' Guild to the same functionary.

With the exception of the appointments to the almshouses, the whole corporation take part in the distribution of the patronage, which in no instance is delegated to the bailiffs or other members; but it is not denied that the influence of the house of Clive preponderates in effecting the distribution in most instances in which it is exercised.

Local Acts of Parliament.

The only Local Act relating exclusively to the borough of Ludlow, is the 33d George III. intituled, "An Act for paving the Footpaths within the Borough of Ludlow, in the County of Salop, and for lighting, watching and otherwise improving the said Borough."

General State and Prospects. Manufactures.

Formerly, the principal Manufacture exercised in the town was the glove trade; of late it has almost entirely failed.

The declension is ascribed partly to the introduction of gloves of French manufacture, and partly to the establishment of marts for articles of cheaper fabrication in Leicestershire and Nottinghamshire.

A woollen factory, for the making of blankets and flannels, is still carried on within the borough, at which there is plenty of employment.

Poor Rates.

There is said to be great inequality in the assessment upon which the Poor Rate in Ludlow is made and levied; no new survey or assessment has been made within the memory of man.

The present assessment professes to be upon two-thirds of the rack-rent; the collections are of 6 *d.* in the pound each, and the number, of late years, has greatly increased. Six rates used to suffice till within the last five or six years.

The parish rents a workhouse, but able-bodied paupers are set to work in the streets; there is great difficulty to procure employment for them elsewhere, both in summer and winter.

Rectory.

The Rectory of St. Lawrence, Ludlow, is in the diocese of Hereford, and in the gift of the Crown. It is valued in the King's books at 19 *l.*

The present incumbent is the Rev. Richard Baugh, a graduate of the University of Oxford, who has held the living nearly 30 years, resident, and performing the duty with the assistance before noticed.

The gross value of the rectory was calculated at 160 *l.* a year, in making the Returns to the Ecclesiastical Inquiry.

Church and Schools.

The Church, which would accommodate about 2,000 persons, is generally well attended on Sundays. There is a National School connected with it; the usual numbers of boys are about 145, and girls 105; it is liberally supported by voluntary contributions.

There is also a Sunday school, consolidated, about 20 years ago, from the old schools in the borough, connected with the Established Church. Several sums are invested in the names of different members of the corporation, in trust for these schools, which have been inquired into and reported upon by the Charity Commissioners.

Dissenting Congregations.

The Independents have here a chapel, with a congregation of about 300; and a Sunday school, attended generally by about 110 scholars.

The Wesleyan Methodists have also a chapel; their congregation occasionally attends the Established Church. They consist of about 300, with a Sabbath school, attended at present by 82 scholars, and supported entirely by subscription.

There are two congregations of Primitive Methodists, but without any place of public worship exclusively used as such; they meet in a private room.

Public-houses and Beer-shops.

There are forty-eight or fifty licensed Public-houses within the borough, and five or six Beer-shops; even these are made the subject of complaint.

LUDLOW.

Population.

According to the Population Returns, the Population of the town was—

In 1801 - - - - - - - - -			3,897
1811 - - - - - - - - -			4,150
1821 - - - - - - - - -			4,820
1831 - -	Males - -	2,428	5,253
	Females - -	2,825	

Families occupied in—Agriculture - - - - - —
Trades, manufactures, &c. - - 490
Families not comprised in those classes - - - - 629

Valuation of Property.

By the same Returns, the annual value of Real Property therein was estimated, in 1815, at 9,407*l.*

Assessed Taxes.

The following evidence is from the Parliamentary Papers;

The Assessed Taxes were, for years ending 5th April—

	£.	s.	d.
1829 - - - - - - -	1,904	-	-¾
1830 - - - - - - -	1,945	19	8¾
1831 - - - - - - -	1,995	10	10¾

Parochial Assessment.

Parochial Assessment, for years ending 25th March—

1825 - - - - -	£.	1,853	- -
1829 - - - - - -		1,241	14 -

Houses.

Number of Houses in 1830:

£. 10 and under £. 20 rent - -	176
20 and under 40 - - -	106
40 and upwards - - - -	10
	292

Number of Electors.

The Number of Electors registered in 1832, was—

Of Freemen - - - - - -	59
Scot and lot voters - - - -	300
	359

APPENDIX.

Incorporated Companies.

Hammermen.

Some Incorporated Companies still subsist in Ludlow.

The most important is that known by the name of the "Hammermen's Company," which (according to an indenture of confirmation of its ordinances by the judges of assize, Sir Edward Saunders, C. B. and Wm. Lovelace, serjeant-at-law, bearing date the 3d April, 18th Elizabeth), appears to have consisted of the several trades of smiths, fletchers, bowyers, goldsmiths, ironmongers cardmakers, saddlers, coopers, cutlers, pewterers, braziers, nailors, armourers, plaisterers, masons, carpenters, plumbers, joiners, tylers, slaters, helyers, makers of sieves or tugars, and hawkers of bendware, united and conjoined as part and parcel of the fellowship and brotherhood of smiths.

The earliest record of the existence of the company apparent on their books is in 1563.

The society is governed by two stewards and six men, appointed annually, with a secretary.

The number of members now of the company is 85, among whom are enrolled several persons of rank and fortune in the neighbourhood. The present high and low bailiffs, and the Honourable Robert Henry Clive, are on the list.

The company have five pews in the body of the parish church, and two in the gallery, where they meet annually to elect their stewards and six men, and then retire to dinner.

Apprentices to the trades pay on admission a fee of 1 *l.* 1 *s.*; foreigners, 1 *l.* 11 *s.* 6 *d.*

From very remote times the company have claimed and exercised the right of imposing fines upon such as use the arts and mysteries of their company, within the borough, not having been previously made free of the fraternity.

Thus an entry of 17th February 17$\frac{10}{11}$, records the admittance and fine imposed upon Jonathan Downe, for exercising the trade of a glazier and plumber, viz. 3 *s.* 4 *d.* per diem, and 5 *l.* for his freedom money. And so recently as on the 21st January 1831, instructions were given by the stewards and six men to the secretary to commence legal proceedings for the like purpose, against one Rudd, who, after some applications by letter and personally, was sued in the borough court, suffered judgment by default, and had execution levied on his goods for 1 *l.* 11 *s.* 6 *d.* and costs.

Cases have occurred almost every year of persons being compelled to come into the company by threats of legal process.

A banner of the date of 1734, and a sum of 17 *s.* 4 *d.* in their chest, appears to constitute the whole personalty of the company. The banner is used in processions and other pageants of the company, which are still kept up, as appears from an entry in their books of the 9th August 1831: "Paid a man for riding as Vulcan in procession on proclamation of His present Majesty, 2 *s.* 6 *d.*"

Their

LUDLOW.

Their books also contain a copy of an indenture, 4th August, 2 George I., between the bailiffs, burgesses and commonalty of Ludlow of the one part, and the six men and stewards and other the fraternity of smiths and others, called Hammermen, of the other part, containing several new ordinances, and confirmed by Sir John Blencow, knight, and Robert Dormer, esq., two of His Majesty's Justices of Common Pleas, being the judges of assize at Salop, 20th August, 2 George I.

Stitchmen.

The company of Stitchmen consists of the trades of tailors, glovers, and some others of like nature.

An indenture, dated 11th March, 11th Elizabeth, between the bailiffs, burgesses and commonalty of Ludlow of the one part, and the fraternity of stitchmakers of the other part, contains ordinances for their regulation, confirmed in like manner with those of the Hammermen by the judges of assize, on the 20th July, 26 Elizabeth.

They have a steward, and at present about 30 members; Lord Clive is the present steward.

They meet twice a year, once for election of their steward.

They have five or six seats in the church, a portion of which are occupied by the company, and the rest let for 3*l.* 10*s.* a year.

These are their whole possessions. The late steward of the company, the present town clerk of Ludlow, received about 3*l.* and expended above 10*l.* whilst in office.

They also have a banner for processions. There is no trace of their having ever exercised any power in restraint of trade.

Cordwainers.

The Cordwainer's Company includes the trades of shoemakers, curriers, tanners and fellmongers.

A steward and six men, and a secretary and 10 or 11 members, constitute the present company.

An indenture "between the bailiffs, burgesses and commonaltie of Ludlow, of the one part, and the mysterie or fraternity of shoemakers, of the other part," under their seals, contains ordinances for their regulation; it is without date, but it recites the Act of Parliament holden 25th January in the 19th year of Henry VII. grandfather to the Queen's Majesty, which fixes the date in the reign of Elizabeth also.

They have three pews in the church, occupied by the members of the company; they meet annually in the chancel of the church, and elect their steward and six men.

A fee of 1*l.* 1*s.* is paid on admission into the company.

No fines have recently been imposed by this company upon strangers for exercising their trades within the borough; but they appear to have used this power liberally in former times. Two ancient books of the company were produced, the earlier intituled, "Shoemaker's and Cordwainer's Company, book begun 1568."

In the later book is the following entry of 7 January 1778: "Richard Hoskins, admitted freeman, paying his usual fine as a foreigner, 10*l.* 6*s.* 8*d.*; but in consideration of his promising to behave himself well towards the company, agreed to remit to him 8*l.* 4*s.* 8*d.*, and to accept 2*l.* 2*s.*, which he paid down, and agreed to keep his breakfast as usual."

This company has the sum of 8*l.* 6*s.* 8*d.* in the Savings' Bank; and two banners, which were used on proclaiming the King.

Butchers.

There was formerly an incorporated company of Butchers, but there is now only one member, Mr. Thomas Towers, surviving; and their banners are pawned.

Durham, 27 March 1834. *Geo. H. Wilkinson.*

List of Documents.

The following Documents accompany this Report.

A. Printed Volume of copies of charters and grants to town of Ludlow, &c.
B. Printed History of the Town of Ludlow.
C. Register of voters.
A. * Late bailiffs' rental.
B. * Bailiffs' accounts 1807–1826.
C. * Chamberlain's - ditto - ditto.
D. Town renter's accounts 1808–1827.
E. Consolidated accounts for 20 years.
F. Account of law expenses 1807–1827.
G. Fees taken in court of record.
H. Balance sheets 1832–3.
K. Accounts of dispensary, schools, &c.
L. Hand-bills furnished by high bailiff.
M. Statement handed by Mr. Downes.
N. Plan of environs of Ludlow, exhibited on affidavit to court of K. B.
O. "History of the Rival Interests in Ludlow" (pamphlets.)
P. Copy protest of corporation.
Q. Report of Wesleyan school.
R. Extracts from the charter of the Hammermen.

G. H. W.

REPORT

ON

THE BOROUGH OF NEWBOROUGH,

(ANGLESEY.)

CONTENTS.

	Page.
PRELIMINARY REMARKS on its early State and Charters	2807
Local Limits	2807
Charter	2808
Title	2808
Officers: Mayor	2808
(Dissolution of Corporate Body)	2809
Bailiffs	2809
Recorder	2809
Freedom	2809
Privileges of Freemen	2809
Courts	2810
Police	2810
Gaol	2810
Right of Common	2810
Inclosure Act	2811
Property	2811
Toll	2811
General State: Poor	2811
Church	2812
Dissenting Meetings	2812
Documents	2812

BOROUGH OF NEWBOROUGH.

Preliminary Remarks on its early state and Charters.

1. CONCERNING the ancient name and state, and the Charters of this borough, Pennant (Wales, iii. 3.) has the following particulars:

" Newborough, or more properly Rhos-fair, the British name, was a manor of our princes. It was divided into two parts; the one consisted of officers of the household under the prince, which were of two kinds, and had twelve gavels in land between them: part maintained the Maer-drefwyr, or those who overlooked his demesne; the other was for the Garddwyr, certain persons resembling our cottagers, who possessed small parcels of land called gerddi. There were besides eight gavels, which were the property of freeholders, the posterity of whom enjoyed the same to the very time of my author, Mr. Rowlands (1775). This was also the seat of justice for the whole comot of Menai, and continued so, long after it became subject to the English. Some respect to a royal seat was still maintained by the new royal possessors. It became a manor of the Princes of Wales. Edward I. erected the town into a corporation, and gave it a guild mercatory, and other privileges, which were confirmed by Parliament in the first year of Edward III. From this time it was called Newborough. In the latter part of that reign were found 93 houses, 13 gardens, 1 orchard, 12 crofts and 60 small pieces of ground, inclosed for the use of the houses. The Crown had its steward for this district, with a salary of 10*l.* a year. The palace and royal chapel existed in the time of Edward III.; for it appears by an inquisition taken here in 1329, before William de Shaldeford, representative of Richard Earl of Arundel, justiciary of North Wales, that the tenants of the comot of Menai had been required to put those buildings in repair. But, on their representing that if that duty was put in force, they would be of little or no advantage to the King, the justiciary was directed to inquire into the truth, and whether it would not be better for him to take an annual sum in lieu of the repairs, not only of the palace and chapel, but of all the other buildings on the royal manor. In after times it had the honour of sending representatives to the British Parliament. Richard ap Rhydderch ap Myfyrion sate in the third of Henry VIII., and John ap Robert Llwyd in the first of Edward VI., who in the next year transferred this honour to Beaumaris. The glory of Newborough is now passed away."

The inquisition herein referred to (" circa reparacoeñ camere et capelle dcī Regis in manerio suo de Rosfeyr, &c."), together with the return made to the same, and several documents of interest relating to this borough, are industriously collected and noted in Llwyd's " History of the Island of Mona," 309, et seq., published in 1833, and sent with the documents relating to the borough of Beaumaris.

Camden mentions this town as, in his day, having " lost much of its ancient splendour by heaps of sand cast in upon it;" and, as stated by Pennant, " it now subsists by a manufacture of mats and Rhosir morhesq ropes, made of sea-reed grass, a plant of which Queen Elizabeth, in tenderness to such of her subjects who lived on sandy shores, wisely prohibited the extirpation, in order to prevent the misfortunes which have since happened, of having half the parish buried in the unstable sands by the rage of tempests."

But the calamities and deprivations of the burgesses were not even to stop here; for since the passing of the Inclosure Act hereafter mentioned, the abridgments of their rights of common generally, but especially of those of turbary and gathering the morhesq rushes, have brought with them a state of poverty before unknown.

Local Limits.

2. The following description of the Local Limits of the borough, copied from a manuscript of the Rev. Evan Lloyd, of Maes y Porth (a neighbouring mansion), who was the last person appointed to the office of mayor, and dated 25th May 1813, was furnished by the recorder, Mr. Robert Pritchard, who believed the same to be accurate, so far as it contains any definite description of the boundaries.

" Beginning at Clynnog-Fechan, you proceed through Terfyn-Beuno to Dol-geran; from thence across Llangeinwen Marsh to the river Braint, near Rhyddgaer; from thence to Abermenai; from Abermenai to Rõbach; from thence near Hendai to Bryn-Rhedyn; thence through Caer Tywyr to the King's Highway; from thence to Maen Clwyd, and on a curve to Llain y groes faen, and to a house in the town called Plas-uchaf; from thence to Tir Bodvel and Ty Mawr; from hence, meandering a little to Bryn Madoc, in Malldraith Marsh; from thence to Cerig Mawr, and by Hendre'r-Orsedd to Glyn-tẽg and Cefn Mawr Uchaf; from thence near Hendre'r Orsedd to a place commonly called Tafern Bridd; from thence to Caea Brychion, and from thence to Rhosir Pool; from thence through Tir Nëst to Bryn Sine; from thence near the Tithe Barn, and surrounding Cerrig y Gwydd to Clynnog, from whence you first started."

The evidence as to the boundaries, given by the surviving bailiff, a farmer, aged 79, who had frequently perambulated them during 60 years, would show that they are well known, and defined by roads, fences and stones. The last perambulation was made about five years ago. The whole of the parish of Newborough is comprehended within the limits.

NEWBOROUGH.

Charters.

3. Considerable difficulty was experienced in obtaining any copy of the Charter of Newborough, and a very inaccurate translation was at length furnished; although at no very distant period, some pains and expense had been incurred in procuring one, as may be collected from the following entry in the corporation books: "2d May 1811. Evan Lloyd, mayor; John Griffith and W. Thomas, bailiffs; and Robert Pritchard, recorder.

"The charter of this corporation, having been lately obtained from the British Museum in London, is now produced in court, together with the bills of expenses for obtaining the same, amounting to 28 *l.* 2 *s.* It is therefore ordered by this court that the rent of the rabbit-warren for the last year, amounting to 23 *l.* be now received and paid over to Mr. Robert Pritchard, the recorder, in order that he may apply the same in part discharge of the above sum of 28 *l.* 2 *s.*"

The transcript of the charter to which this entry relates was handed to Mr. Lloyd, the mayor, who was present at the meeting, and signed the entry. He is dead; and no information respecting the charter could be obtained from his son and heir, the Rev. Evan Lloyd, of Maes y Porth.

Subsequently, however, the loose and inaccurate translation of the charter, sent herewith, was forwarded to the Commissioners; according to which the original appears to be amongst the Records of Chancery preserved in the Tower of London.

Charters appear to have been granted to Newborough, by the following Princes:

Date.	Reign.	Place.
16 November -	4 Henry VI. - - -	Westminster, inspecting
27 February -	2 Henry IV. - - - Charter of Henry V., when Prince of Wales -	Kenyngton, inspecting
3 June - -	2 Richard II. - -	Westminster, inspecting
27 April - -	17 Edward II. - -	Fulmere, inspecting

his own charter, granted whilst he was Prince of Wales, to the men of the town of Newburgh in Anglesey, and dated at Durham, the 3d May, in the 31st year of the reign of the Lord the King, his father. This is in the following terms:—

Charter of Edward Prince of Wales, temp. Edward I.

"Edward, son of the illustrious King of England, Prince of Wales, Earl of Chester, Ponthiou and Montroil: To all to whom these presents letters shall come, greeting: Know ye, we have granted, and by this our charter have confirmed, to the men of our town of Newburgh, in Anglesey, that that town in future shall be a free borough, and that the men inhabiting the same borough shall be free burgesses; and that they shall have a guild merchant with hanse, and with all liberties and free customs to a free borough appertaining, to wit, such as our free burgesses of Rothelan have in their borough."

It is sufficiently obvious that this charter must have been of the *second* Edward: one of the witnesses is "the venerable Father Anthony, Bishop of Durham" (whence the charter is dated): Anthony Beck was Bishop of Durham from 1283 to 1311; the Prince's charter is dated in the 31st year of the reign of his father. It could not, therefore, be a charter of Edward III. whose father reigned less than 20 years; nor could it be a charter of Edward I., because in 31st year of Henry III., his father, Anthony Beck, was not bishop. And as this charter does not recite any antecedent charter, it seems probable that the statement made by Pennant, and followed by other authors, that Edward I. erected the town into a corporation, and gave it a guild mercatory, &c. is only so far accurate, that *in his reign* these privileges were conferred by his son.

The matter is made still more clear by the proceedings upon a *quo warranto* information instituted against the burgesses, *temp.* Edw. III. on behalf of Edward the Black Prince, a copy of which accompanies that of the charter. The plea in that case recites the charter of Edw. II., and a confirmation thereof by Edw. III.; and then it proceeds to lay claim to extensive privileges by virtue of the general words in the charter of Edw. II. conceding to them the same privileges enjoyed by the burgesses of Rothelan; and to recite the charter granted to Rothelan by the Lord Edward King of England (Edw. I.) "grandfather of the King that now is;" without ever noticing any direct grant of privileges whatsoever from that monarch to the burgesses of Newborough.

The privileges of the burgesses of Rothelan will be found in the Report on that borough; they appear to have been allowed in judgment upon the *quo warranto* above-mentioned, and will be noticed hereafter so far as may seem needful in reporting upon a borough in which so few traces remain of incorporation.

Title.

4. No title of incorporation is given by the charters of Newborough, nor was any document produced in which the title used by the corporation at any time appeared. But that of "Mayor, Bailiffs and Burgesses of the Borough of Newborough" would obviously be the correct title in conformity with its constitution.

Officers.

5. The *quo warranto* of the Black Prince summons the burgesses to answer by what warrant they claim, "that the steward of the manor of Rosfayre and comot of Meney for the time being shall be the mayor of that borough, sworn as well to the Lord the Prince as to the same burgesses."

The plea alleges that they claim "that the aforesaid town of Newborough is a free borough, and the men of the same town are free burgesses, and that they have a merchant guild with hanse,

hanse, &c.," under the charter of Edw. II. confirmed by Edw. III. which they set out; and, as to all the other liberties claimed by them, they say that Edw. II. "granted to them those liberties by general words in his aforesaid letters contained," viz. such as his burgesses of Rothelan in their borough enjoyed. NEWBOROUGH.

In modern times, however, the appointment appears to have been by the mayor, bailiffs and burgesses. The entry of the appointment of the Rev. Evan Lloyd, 21st November 1809, is signed by Holland Griffiths, esq. the former mayor, by the two bailiffs, recorder and ten burgesses. He was chosen for a year.

While any Courts were held within the borough, the mayor used to preside therein. But they are now in entire disuse; and no appointment of a mayor has taken place since 1814. Courts.

The last entry in the books of the corporation is to the following effect:

"1814, July 18. Memorandum, that the sum of 23*l.* being a year's rent of Newborough rabbit warren, due 25th day of March last, was paid into the hands of the Rev. Evan Lloyd, the mayor, towards the expenses of the lock-up house, the school, &c."

6. Upon the meeting held on that occasion, the existence of the corporation for practical purposes was suspended in a manner characteristic at once of the temper and habits of its members, and of the nature of the institution by which their small and rude community had so long been, in some fashion, held together. Dissolution of the Corporate Body.

The mayor is stated to have endeavoured to bring the burgesses to consent to some arrangement for the division and enclosure of the commons within the borough, without incurring the expense of an Act of Parliament which was then in contemplation, and is hereinafter mentioned.

The burgesses refused to acquiesce in his proposition; the mayor said if they would not, he would never come near them again; and the recorder, finding, as he said, the burgesses so refractory, supported the authority of the mayor by stating his resolution to do the like. Both acted up to the threat, and whatever may have been the proposition of the mayor (the details of which did not appear), it could hardly have left the burgesses in a worse predicament, as to their rights of common, than that in which they were placed by the Act of Parliament which was passed shortly afterwards.

7. The right of election, as stated to have been claimed in the *quo warranto*, was that the burgesses should "have election of two bailiffs out of themselves every year, in the feast of St. Michael, to do those things which to the office of their bailiwick appertain in the same town;" and, practically, they are said to have been chosen by a majority of such of the burgesses as happened to be present on the Michaelmas court day yearly. Thus in 1810, the mayor, bailiffs, recorder and 13 jurymen appear, from the entry in the books, to have been present at the election of bailiffs. Bailiffs, appointment.

But as the corporation verged towards its extinction, the appointments of bailiffs became irregular. In 1811 an order was made that the old bailiffs should be continued in office, and in 1812 new ones were appointed by the mayor, one bailiff and the recorder. And on the 3d December 1813, a bye-law was passed, "that in future the mayor for the time being be empowered to appoint or name one bailiff and one constable for this corporation, and that such bailiff and constable shall have the privilege of naming others to serve the same office with them." Yet, with a corporate body thus constituted, we find an exchange of lands effected by the mayor for the time being. The order for which reciting, that the mayor was seised in fee of a spot of ground of "about six yards square, situate on the south-west side of the Cross," directed an exchange to be made for a portion of the corporation lands.

8. The Recorder was appointed by the mayor, bailiffs and burgesses during pleasure: the present officer was nominated recorder in the room of Mr. John Hughes, on the 3d December 1813. Recorder.

9. It was the practice to admit to the freedom of the borough, upon payment of a fee of 2*s.* 6*d.*, any respectable inhabitant proposed by a burgess; and entries of such admissions appear in the books signed by the mayor, bailiffs, recorder and about 20 burgesses, the recorder generally signing for a large majority of the latter, for an obvious reason. Freedom.

10. In the pleadings to the *quo warranto* above-mentioned, the nature and extent of the privileges claimed under their charters are set out; and as these throw some light upon the charter of Rhûddlan (Rothelan), and in effect upon all the earlier Welsh charters, it is thought proper here to state them. The replication, &c. are as follows: Privileges of Freemen.

"And John de Delves, who sues for the Lord the Prince, saith that in the last iter of the justices held in North Wales, viz. on Thursday, the feast of the Apostles, Simon and Jude, in the eighth year of the reign of the Lord the King that now is, before Thomas de Aldon and his associates, justices then there itinerate, the burgesses of the town aforesaid then did not claim the aforesaid liberties, wherefore for that nonclaim he demands that all the liberties aforesaid should be taken into the hands of the Lord the Prince, and the aforesaid burgesses do not gainsay it; therefore let the liberties aforesaid be taken, &c.; and upon this the same burgesses demand, &c.; and made fine to the Lord the Prince for having the same again, &c.; and upon this the same John who sues, &c., demands that the aforesaid burgesses do show and declare to the court what and what manner of profit they claim by the aforesaid general words, &c.; and they say, that by the aforesaid grant of free prison, &c., they claim the custody of the prison of the aforesaid town, &c., which is the prison of the Lord the Prince, and of having in the same prison the custody of all transgressors against the peace within

NEWBOROUGH.

within the same town, as well of men intrinsic as foreign, and of having and receiving of every one imprisoned, when he shall be delivered, 4*d.*

And by that clause, that all the lands to the same borough now assigned shall be diswarrened and disforested, they claim that they shall not be amerced nor molested for any forfeitures, assaults, edifices of houses, nor for the taking of wild beasts, of whatsoever kind they may be, in the lands aforesaid.

And by that clause, that no sheriff in anywise shall intermeddle himself, &c., they claim that they shall have return of all writs and precepts, and the execution of the same, by their bailiffs to be made, of things within that borough issuing, and to have their court, from three weeks to three weeks, by their bailiffs to be holden, and cognizance of all pleas, debts, covenants, transgressions, and all other contracts within the same town issuing, except those touching frank tenement and the pleas which appertain to the Crown.

And by that clause, that they shall have merchant guild, &c., they claim that all persons dwelling in the aforesaid town, on being willing to enjoy the aforesaid liberties, and who shall be sworn before the burgesses aforesaid justly to maintain the rights and liberties of the same town, &c., shall give for the common utility of the same town a certain custom, called Hanse; and when they shall have done this, and shall pay lot and scot with them, they shall be free burgesses, and may freely buy and sell, and may be able to enjoy all the privileges and liberties of the same town, without contradiction of any one.

And by that word "sok," they claim appearance to their aforesaid court of all persons residing within the aforesaid town, if they be impleaded, or when their presence shall be necessary.

And by that word "sak," they claim cognizance of the like pleas; and by the word "toll," to receive toll by their bailiffs, as the bailiffs of the lord the prince, of all things within the same town bought or sold, of which the like toll in fair or market of right ought to be taken.

And by that word "infangenethef," they claim, if any one shall be taken within the same town with the goods found upon him, at the suit of any party who against him by appeal will prosecute, forthwith the same burgesses shall cause to be assigned a court day, to be holden, viz. within the treble or third day after attachment so made, and the same person so appealed against before them shall be arraigned, and if he will put himself upon inquisition, he shall be admitted, and if he be found guilty, judgment and execution shall be made thereupon, as becometh; and if he will not submit himself, he shall be sent to the next gaol, &c.

And by that clause, that they shall be quit of toll, &c. they claim that they shall not pay toll for any merchandizes or wares by them bought or sold in any fair or market in Wales and elsewhere.

And by these words "lastage, murage, pontage, stallage, passage and gaywite," that nothing shall be taken of them for the like customs, nor for their goods or merchandizes, by land nor by sea, nor for the making of bridges or walls.

And by that word "lene," that they shall pay nothing on any fair or market to the servants called lane lockers.

And as to all the other liberties, they say that they are declared sufficiently express in the aforesaid charter of Rothelan exemplified, &c."

Courts.

11. The Court above mentioned appears, in former times, to have been holden regularly, and from the ancient entries, considerable business must have been transacted at it.

The presiding officers were the bailiffs and recorder.

It is, however, more than 30 years since any court has been held for the recovery of debts, and no court of any description whatsoever has been held in the time of the present recorder.

Police.

12. Since the disuse of the courts, the four constables who used formerly to be sworn in before the recorder have been appointed by the county magistrates. There is an ancient silver mace in the custody of the bailiff, but no serjeant has been appointed in recent times.

Gaol.

13. A lock-up, called the Hain house, was formerly used as a place of temporary confinement for prisoners, but it is 15 years since any one has been there incarcerated, and the place is now appropriated by one John Jones, a grocer, as a warehouse for his goods, and claimed as his private property.

Right of Common.

14. Previously to the Inclosure Act, 55 Geo. III. hereafter mentioned, a right of common over a large tract of land lying towards the sea, was extensively exercised by the burgesses of Newborough.

It was used by many who did not hold inclosed lands, as well as by those who did.

The common of pasture was for all commonable beasts, and without stint, and horses, cows and sheep went on the common, winter and summer. Some turned on three or four horses, eight or ten cows, and about 100 sheep.

Many thousand loads of turves for fuel were also procured annually by the burgesses in right of their common of turbary. And large quantities of morhesq rushes, or sea-reed grass, for the manufacture of matting, which appears always to have been, as it now is, the principal source of livelihood to the poor inhabitants of the borough.

There was also upon the common a rabbit-warren, which was leased under the corporation

at

NEWBOROUGH.

at rents, varying in different years from 10*l.* to 23*l.*; at which latter rent it appears to have stood in 1811, from the entry cited in s. 3.

These rents were received by the mayor or bailiffs to the use of the corporation.

The rights thus exercised were never disputed; and indeed they are recognized in the preamble to the Inclosure Act.

Inclosure Act.

15. That statute, reciting (among other things) that "the mayor, bailiffs and burgesses of the town and borough of Newborough, in the said county of Anglesey, claim to be entitled to certain rights over some part of the commons and waste lands within the said parish of Llanbed'r-Newborough," proceeds to appoint a commissioner for allotting and inclosing the said commons and waste grounds; and, after extinguishing all rights of common thereon, and directing that certain proportions shall be allotted to the Crown and to the lord of the manor; and that allotments, not exceeding six acres, in each of the parishes of Llangeinwen and Llanbed'r-Newborough, shall be set out and vested in trustees for the poor of those parishes; it enacts that the commissioners shall set out and allot the residue among all persons and bodies corporate, &c. in the usual terms.

The clause for defraying the expenses of the Act requires that they "shall be borne and defrayed by the several persons to whom any allotment or allotments shall be made by virtue of this Act (save and except the King's most excellent Majesty, his heirs and successors; the surveyors of the highways within the said several parishes respectively, for the time being, for or in respect of the allotments, &c.; and also the rectors, churchwardens and overseers of the poor, &c., for or in respect of the allotment hereby directed to be made to them, in trust, for the use of the poor as aforesaid; and also the rectors of the said respective parishes for or in respect of any allotments to be made to them respectively); and, in default of payment, gives the usual power of sale of the allotments, subject however to the restrictions contained in this Act and in the general Inclosure Act.

Thus were the interests of all bodies corporate vigilantly indemnified against the penalties of this clause, except those of the poor burgesses.

An allotment of about 100 acres was in fact set out to them; the usual notices were published and served, requiring them to pay their proportion of the costs and charges; in their then deserted state, of course default was made, and the allotment was sold, under the provisions of the Act, to a Mr. Owen Humphreys.

What were the circumstances attending this sale—the price obtained, the application of the proceeds, the observance of the provisions of the Act, and of the general Inclosure Act—were points upon which not a particle of evidence could be obtained. The naked fact of this dereliction of the interests of the burgesses alone is indisputable. Their rabbit-warren became the property of Lord Newborough, Lord Boston and Mr. Pierce, to whom the lands were allotted in which it was situated; and even if the allotment made by the commissioner had been secured to the burgesses, it would have been nothing proportionate to the advantages of which they were bereaved by this Act.

Property.

16. Beside this right of common and rabbit-warren, there was a "quillet" of about half an acre of land, belonging to the corporation, which used to be held by the bailiffs for the time being; and of which no other account is now given, than that it is no longer the property of the corporation. A handsome ancient seal of bronze also belongs to them, which the recorder states that he holds under a lien for business formerly done for the corporation, to the amount of five guineas, and has refused on that score to give up; and some old bronze measures and scales, which, being nearly worthless, are still in the custody of the bailiff.

Toll.

17. Toll used formerly to be taken by the bailiffs from strangers, for goods sold in the fairs and markets. That has ceased; nor indeed has any fair or market been held for above 30 years.

Present State: Poor.

18. The state of the Poor, since the loss of their right of common, is stated to be one of severe deprivation, on all hands.

The raw material for the manufacture of their mats must now be purchased by them at 3*s.* per load; but even under this disadvantage it still furnishes subsistence to many. There is much difficulty in finding employment in agriculture at wages of about 15*d.* or 16*d.* per diem.

The poor-rates for the year ending Easter, 1833, were 5*s.* 6*d.* in the pound on the rack-rent, and are increasing; they have more than doubled since the passing of the Inclosure Act.

The amount collected by the rate in that year was 242*l.* In 1825 it was 158*l.* 1*s.*; in 1829 it was 178*l.* 11*s.*

Population.

The Population was, in—

1801		599
1811		750
1821		756
1831:	males - 374	
	females - 430	804

Their occupations,—

Families employed in	agriculture	114
	trade or manufacture	32
	not comprised	67

Real Property.

The annual value of the Real Property was estimated in 1815 at 1,018*l.*

19. The

NEWBOROUGH.

Church.

19. The rectory, of which the Rev. Henry Rowlands, M. A., of Christ's College, Cambridge, is the incumbent, produces, one year with another, about 230 *l.*, out of which a curate is paid. There is no glebe or parsonage house. The present rector, who has held the living above 35 years, and lives at a distance of 6 or 7 miles, served the duty himself for many years; but has had a curate during the last 12 years, who resides 2 or 3 miles from Newborough.

There is no school in connexion with the Established Church.

Dissenting Congregations.

20. There are Dissenting Congregations of Welsh Calvinists and Wesleyans, both of which have schools attached to them.

The service is entirely performed in the Welsh language at all the places of worship, and is alone taught at the schools. Indeed very few here understand the English tongue—a circumstance which added to the difficulty of obtaining any accurate information respecting this borough.

The nearest magistrates, Sir W. Hughes and the Rev. H. Rowlands, reside at a distance of six miles.

Durham, 7th May 1834. *Geo. H. Wilkinson.*

List of Documents.

The following Documents accompany this Report:

A. Translation of the charter, 4 Henry VI. and of the pleadings in *quo warranto, temp.* Edw. III.

B. Act of Parliament, 55 Geo. III. "for inclosing lands in the parishes of Llangeinwen and Llanbed'r-Newborough, in the county of Anglesey."

C. Account of the boundaries of the borough of Newborough.

D. Survey of Newborough, burgesses' lands.

E. List of Newborough burgesses.

F. Letter, Holland Griffith, esq.

REPORT

ON

THE BOROUGH OF NEWTON,

(LANCASTER.)

BOROUGH OF NEWTON.

THE borough of Newton in Mackerfield, in the county palatine of Lancaster, having, before the passing of the Reform Act, returned two Members to Parliament, and being found on the original list of Municipal Corporations directed to be made the subject of inquiry, I deem it proper not to leave it unnoticed.

After the most careful investigation that the limited time allotted to the object would permit, the Commissioners found no reason to doubt the accuracy of the account given of this borough by Mr. John Fitchett, steward of the manor and fee of Mackerfield, and of the barony, manor and borough of Newton within the same, to the effect that no Municipal Corporation has ever there subsisted.

His letters upon the subject are sent herewith, together with other documents relating to the place, a list of which is annexed.

Durham, 31 May 1834. *Geo. H. Wilkinson.*

The following documents are sent herewith:

A. Copy appointment of Mr. Richard Owen, as bailiff of the honor and fee of Mackerfield, and of the manor and borough of Newton. Dated 9 September 1826.

B. Letter from Mr. Thomas White, land agent of Mr. Legh, the lord of the manor. Dated 2 November 1833.

C. Letter from Mr. John Fitchett, steward of the honor and fee, &c. Dated 11 December 1833.

D. Return of names, &c. of officers.

E. Letter from Mr. John Fitchett, 16 June 1834.

739

REPORT

ON

THE BOROUGH OF OVER,

(CHESTER.)

BOROUGH OF OVER.

GOVERNMENT.

1. UNDER what warrant or authority the borough of Over, in the county palatine of Chester, assumes to be governed by a mayor, who exercises the office of justice of the peace within the limits of the borough and lordship, was a point upon which no explanation could be obtained by the Commissioners.

It was stated, indeed, as matter of reputation, that there is a charter belonging to the place in the custody of Lord Delamere, the lord of the manor, at Vale Royal. But no certain information could be procured respecting it during their short visit; and the document referred to might possibly be no other than the grant of a market by Edward I. mentioned in Lewis's Topographical Dictionary. That author states that "The market, formerly held on Wednesday, under the authority of a charter of Edward I. has been disused for about a century. Fairs are held on May 15 and September 25. The town, called in ancient records the borough of Over, has been from time immemorial under the government of a mayor, who is chosen annually at the court leet and baron of the lord of the manor, held in October; two juries are then empanneled, one for the borough, called the grand jury, the other for the subordinate townships, called the county jury; the former return six inhabitants of the lordship of Over to the lord of the manor, by whom, at an adjourned court, held 14 days afterwards, one of them is nominated mayor for the year ensuing, and during his mayoralty acts as justice of the peace within the borough and lordship, &c."

Mayor.

2. This account appears to be substantially correct, except as to the election of the mayor.

According to the testimony given to the commissioners, the mayor for the time being, at his own mere discretion, puts down any number of persons (not less than three) resident within the borough, as liable to serve the office for the year ensuing. In 1818 ten names were so returned by the mayor.

The list so made out is submitted by the steward to the lord of the manor, who sets a mark opposite to the name of that individual whom he prefers for the office; and it is returned with such mark to the jury at the second court day. The steward inquires of the jury, through their foreman, if they confirm the nomination of the lord; but this would seem to be a mere empty ceremony; the answer being uniformly, and as of course, in the affirmative.

After having been sworn in at the second court, the mayor, at the ensuing January sessions, attends to qualify at Chester; the old mayor continuing to act as justice of the peace down to that time.

The only emolument received by the mayor is the toll taken at the fairs, the amount of which has been as low as 2*l.* 5*s.* per annum. It produced last year 3*l.* the usual average. But as the election is commonly made an affair of some pageantry, it is not unusual for the mayor to expend double that sum in ribands. By courtesy he takes the title of alderman after his year of office has expired.

The mayor appoints a serjeant during his mayoralty, who receives the usual fees taken by clerks to the magistrates.

There is also a mace-bearer attendant upon the mayor; but he is appointed exclusively by the lord of the manor; and as all the other officers constituted within this borough, as well as the incidents of the courts held therein, appear to be purely those appertaining to a manorial jurisdiction, it is considered that any farther mention of them here would be inappropriate.

It may be fit, however, to notice that at the court baron, the number of small causes entered and tried appears to be considerable, averaging about 60 entries and 20 trials yearly, during the last four or five years.

Durham, 31 May 1834. *Geo. H. Wilkinson.*

The following documents are sent with this Report:

B. List of persons returned to the lord of the manor, as liable to serve the office of mayor for the ensuing year, 16 November 1818.

C. Notice of court leet and court baron for the Lordship, 18th October 1833.

D. Summons in a plea of debt in the said court, 21 May 1833.

743

REPORT

ON

THE BOROUGH OF OVERTON,

(FLINT.)

CONTENTS.

	Page
Preliminary Notice	2819
Local Limits	2819
Charter	2819
Mayor, appointment of	2819
Aldermen	2820
Manor Courts	2820
Juries	2820
Gaol	2820
Poor's Rate	2820
Magistracy	2820
Document	2820

BOROUGH OF OVERTON.

Preliminary Notice.

1. SOME notice appears to be due to Overton, as one of the contributory boroughs sending a member to Parliament with Flint, although it may be at least doubtful whether it has ever received any Charter of Incorporation. Pennant (Wales, i. 304.) states that Overton, or Overton Madoc, the Ovreton of Domesday book, "had, at the time of the Conquest, a Saxon owner; but was granted to Robert Fitzhugh. I find, in 1278, or the 7th of Edward I., that it was in the possession of Robert de Creve Cœur, who obtained for it a weekly market on a Wednesday. In the 21st of the same reign, the King directed Reginald de Grey, justice of Chester, to go personally to Overton, and there to assign to the burgesses, or such as would become inhabitants, competent lands within the demesnes of Overton castle and wood, to build them burgages with. Such encouragement did this wise prince give to population, to secure the frontiers of this new conquest. In 1331, or the 5th of Edward III., it was granted, with other lands in this maelor, to Eubule le Strange, Baron of Knockyn."

"There are no reliques of the castle, which stood in a field still called Castlefield, fronting the Dee. Tradition says, that it had been the residence of Madoc ap Meredydd, Prince of Powys, and Lord of Overton, from which the place received the addition of Madoc.

"Overton is one of the contributory boroughs which send a member for that of Flint, which is done by the inhabitants of Overton-foreign and Knolton, paying scot and lot. This right had been settled in the years 1728 and 1737; but a doubt arising whether payment of taxes by the landlord was sufficient, in 1741, it was determined by Parliament in the negative. Hanmer, and several other places, laid in a claim to vote, but it was rejected by the Commons in the beginning of this (18th) century."

The authority of Dugdale (Baron. i. 592.) cited by Pennant, shows that the grant in 7th Edw. I. to Robert de Crevequer, was "of a weekly mercate upon the Wednesday, at his manor of *Overton*, in the parts of *Mailor-Saisneg*, in Wales; and a fair yearly on the eve, day and morrow after the Nativity of the Blessed Virgin, and twelve days next ensuing."

The insulated portion of the county of Flint, in which Overton is situated, was declared to constitute part of that county, and placed under the jurisdiction of its sheriff by Edward I., in his statute of Rhuddlan: "Vicecomes de Flynt, sub quo Cantreda de Englefeud, Terra de *Meylor Seysnek*," &c.

According to Camden (Gough, ii. 597) it seems to have taken its name (*Maelor Seysnek*) from having been the jointure of Emma, an *Englishwoman*, widow of Gryffyd ap Madoc.

Local Limits.

2. The Borough is stated to be co-extensive with the parish, which comprises four townships, viz. those of Maesgwrle, Villa, Overton-Foreign and Knolton.

It was perambulated about 27 years ago. The only dispute relative to the boundaries in the recollection of living witnesses, was determined by a trial at Mold, Spring Assizes 1832, when a small plot of land, containing about 2½ acres, was decided to lie without the limits of the borough.

Charter.

3. Evidence was given of the existence of a charter of Overton, in the custody of Philip Lloyd Fletcher, esquire, of Caia, a colonel in the army, and lord of the manor of Overton; and it was said to be a Royal Charter, granted by one of the Edwards. It seems probable, however, that this would be found to be nothing more than the grant of the market and fair, before mentioned, to Robert de Creve Cœur, by Edward I.

There is no tradition of any corporate seal, books or property; nor of the appointment of any corporate officer, except in the recent and unauthentic creation of a mayor, hereafter noticed.

The document, in the possession of Colonel Fletcher, is stated to be a copy merely of the original grant or charter; and circumstances prevented the Commissioners from obtaining either an inspection of it, or a description of its contents.

Mayor, appointment of.

4. In 1830, at a convivial party, composed of some respectable inhabitants of the borough, it was resolved to nominate a Mayor annually. The price of the dignity being a dinner, to be given upon his going out of office.

Mr. William Edge, a maltster, was the first occupant of these new civic honours. He was succeeded, in 1831, by Mr. Thomas Phillips, a gentleman farming his own estate within the borough, at Carrygo France. In 1832, John Barnett Lane, esquire, a captain in the 3d dragoon guards, was promoted to the office; and the present mayor is John Bellis Eyton, esquire, a surgeon, resident in the town.

OVERTON.

There is no administration of oaths, nor any assumption of magisterial functions. The only ostensible object of the appointment being "for good neighbourhood." Those who have served the office, however, have been, from courtesy, called Aldermen.

Aldermen.

Manor Courts.

5. The Manors of Overton and Hanmer constitute the whole Hundred of Maelor. Sir John Hanmer is the lord of the latter manor. A Court is held monthly for the Hundred within the borough, of which Messrs. Brooks and Lee, of Whitchurch, solicitors, are the stewards. Many small causes are tried at this court.

A Court Leet is also holden twice in the year: at Michaelmas, for Overton; and at Lady-day, for Hanmer.

About 10 or 12 causes, on the average, proceed yearly to trial; many more are settled. A fee of 6*s.* is payable to the stewards for the summons, and 1*s.* to the bailiff for serving it, with an additional charge for travelling above a mile from the town.

Juries.

6. The stewards select the Juries at their discretion, taking them from the several townships in succession.

The summons is signed and served by the bailiff.

Gaol.

7. The Lock-up House belongs to the county.

Poor Rates.

8. At present 4*s.* in the pound are collected, by four rates yearly, upon an assessment estimated at one-third the rack-rent of property within the borough.

There is a workhouse belonging to the parish.

Magistracy.

9. Two County Magistrates reside within a mile of the town, viz. Major Fletcher, brother to the lord of the manor; and Mr. Price, of Bryn y Pys; and among a population of about 1,500, engaged solely in agricultural pursuits, no want is felt of a more strictly local magistracy for the town.

Durham, 16 May 1834. *Geo. H. Wilkinson.*

Document—A letter from Colonel Fletcher accompanies this Report.

REPORT

ON

THE BOROUGH OF OSWESTRY,

(SALOP.)

CONTENTS.

		Page
	PROTEST	2823
I.	LOCAL LIMITS	2823
	History	2823
	Walls	2823
	Castle	2824
II.	Earlier Charters	2824
	Fairs	2824
	Charters produced	2824
	Governing Charter	2824
III.	Title	2824
IV.	Officers	2825
	Mayor, Election of	2825
	Mayor, Amotion of	2825
	Deputy Mayor	2825
	Mayor, Functions of	2825
	Privileges of	2825
	Salary	2825
	Steward, Appointment of	2825
	Functions	2825
	Privileges	2825
	Salary	2825
	Recorder, Election of	2826
	Functions of	2826
	Salary	2826
	Coroner, Appointment of	2826
	Functions	2826
	Salary	2826
	Aldermen, Election of	2826
	Privileges of	2826
	Common Council	2826
	Councilmen, Privileges of	2826
	Town Clerk, Appointment of	2826
	Deputy, Functions of	2826
	Salary	2827
	Serjeants-at-Mace, Appointment of	2827
	Functions	2827
	Salaries	2827
	Marshal and Crier	2827
	Functions	2827
	Salaries	2827
	Murenger	2827
V.	Freedom, how acquired	2827
	Burgesses, Duties and Privileges of	2828
	Emoluments	2828
	Number of	2828
VI.	Ruling Body	2828
VII.	Fees paid on admission	2828
VIII.	Courts, Criminal	2828
	Civil Court	2829
	Pie Poudre Court	2829
IX.	Juries	2829
X.	Local Police	2829
	Fees, &c. of Police	2830
XI.	Gaol	2830
XII.	Fines	2830
XIII.	Property	2830
	Funds	2830
	Rent-charge	2831
	Money received from National Schools	2831
	Publication of Accounts	2831
	Tolls, Mayor's	2831
	Lord of Manors	2831
	Commons	2831
XIV.	Patronage	2831
XV.	Acts of Parliament	2832
XVI.	General State and Prospects	2833
	Church	2833
	Schools	2833
	Dissenting Congregations	2833
	Public-houses, Beer-shops	2833
	Magistracy	2833

BOROUGH OF OSWESTRY.

1. BEFORE the Inquiry was opened at this place, a communication was made by the town clerk to the Commissioners, apprising them that the corporation had entered a Protest against the legality of the Commission under which they acted. PROTEST.

A copy of the protest was required from the town clerk, which he read in open court, by direction of the Commissioners, immediately after the opening of His Majesty's Commission. It was to the following effect:

The town and borough of Oswestry. } 4th December 1833. At a meeting of the corporation held this day, in pursuance of due notice thereof given:

Upon reading the letters of the 1st instant from George Hutton Wilkinson and T. J. Hogg, esquires, two of His Majesty's Commissioners appointed to inquire into the state of Municipal Corporations in England and Wales, the one addressed to the mayor, and the other to the town clerk:

Resolved, That the mayor, high steward, aldermen and common councilmen of the town and borough of Oswestry respectfully deny the right of any persons, not appointed under the authority of an Act of Parliament, to investigate the affairs of the corporation of Oswestry, or to require the attendance of themselves or of the town clerk for the purposes of examination (any abuses in their corporation that may be known to exist being open to the correction of the ordinary courts of law, on the information of any person finding himself aggrieved); but having no desire to conceal any part of their proceedings, and out of deference to a Commission emanating from the Crown:

It is Ordered,

That the town clerk do produce, for the inspection of the said Commissioners, all documents that they may require of him, and that the members of the corporation and the town clerk may be at liberty to attend and answer any question that may be put to them by the said Commissioners:

That the corporation will be happy to afford the Commissioners the use and accommodation of the Guildhall.

(Signed by the mayor, two aldermen, and three councilmen.)

2. The Limits of the borough, called in the governing charter the "Borough of Oswestry, and Liberties and Precincts thereof," are situate wholly within the parish of Oswestry, but are not co-extensive therewith. I. Local Limits.

The boundaries are said to be perfectly well known, being distinguished by stones, fences and streams; and the reputed limits have never been the subject of litigation or dispute.

There are plans of the borough among the muniments of Lord Clive, the present lord of the manor, at Powys Castle; but the corporation have no copy of those plans.

A perambulation of the borough, which is co-extensive with the lordship, was made by the direction and at the expense of the lord of the manor, in the mayoralty of Mr. Cartwright, in 1829; it was attended by the mayor and some of the corporation.

The borough extends about two miles west and the same east from the town; to the north rather more than a quarter of a mile, and to the south about half a mile.

3. The name of Oswestry is connected with some of our earliest historical recollections. "On this spot, on August 5th, 642, was fought the battle between the Christian Oswald, King of the Northumbrians, and the pagan Penda, King of the Mercians. Oswald was defeated, and lost his life. * * It is probable that the Britons bestowed on the spot where the battle was fought, the name of Maeshir, or the long field, or combat, from the obstinacy of the conflict. The Saxons for a considerable time retained the name of the place where the action was fought, with the addition of their own vernacular word 'feld' or 'felth,' a field; as Maserfeld. * * In after days the name became entirely Saxon, and, from the fate of the king, was styled Oswald's Tree; now Oswestry, and by the Welsh rendered Croes Oswallt." History. Name. Pennant's Wales, i. 333.

4. The natural importance of its situation which rendered it one of the keys to the principality of Wales, soon attracted the attention of the politic monarch, whose prowess annexed Walls.

OSWESTRY.

that territory to his dominion. "The walls were begun in the year 1277, or the sixth of Edward I., who granted a murage or toll on the inhabitants of the county, which lasted for six years; in which time it may be supposed they were completed. Its antiquity, as a fortified post, will further appear from the following extracts from the same author:

Pennant's Wales, i. 338.

Castle.

Pennant's Wales, i. 338.

5. "There are only a few fragments of the Castle remaining. It stood on an artificial mount, with a great foss, extending to the Beatrice-gate on one side, and on the other to the Willow-gate. Our Welsh historians attribute the foundation to Madoc ap Meredydd ap Bleddyn, Prince of Powys, in 1148. Leland gives some colour to this, by saying, that in his time there was a tower called Madoc's; but the English records place it in possession of Alan, a noble Norman, who received it immediately from William the Conqueror, on his accession. This Alan was the stock of the Fitz Alans, Earls of Arundel, a potent race that flourished (with fewer checks than are usual with greatness) for near 500 years.

"Sir William Dugdale says, that there was a castle at Oswaldster at the time of the Conquest, which I think probable. The artificial mount on which it was placed, indicates it to have been earlier than the Norman era. The Britons and Saxons gave their fortresses this species of elevation. The Normans built on the firm and natural soil or rock, but often made use of these mounds, which they found to have been the site of a Saxon castle. I believe this to have been the case with that in question. A Fitz Alan repaired or rebuilt, and added to that which he met with here; a tower also (as is not unfrequent) might receive the name of Madoc, complimentary either to the son of Meredydd, or some other great man of the same title.

II. Earlier Charters.

6. The earliest Charter produced was that which Pennant states to be the "first Royal Charter," and of which he gives the following account: (vol. i. 342) "In 1397, Richard Earl of Arundel being attainted and executed, the King, Richard II. seized all his lands and manors, and granted them to William le Scrope Earl of Wiltshire, one of his favourites, who afterwards, on the deposition of his royal master, fell a victim to the popular fury; and Thomas, the son of the attainted earl, was restored in blood." "He also granted to the town the first royal charter, incorporating it by the name of the bailiffs and burgesses of Oswestry, 'infra Palatinatum Cestriæ in Marchia inter Anglium et Walliam.' This was also founded upon the constitution of that of Shrewsbury: they were exempted throughout the kingdom (the liberty of the city of London excepted), 'de theolonio, lastagio, possagio, portagio, stallagio de lene, et de danegeldis, et saynit et omnibus aliis consuetudinibus et exactionibus.'"

It is dated at Westminster, 14th August, in the 22d year of Richard II. and the original charter itself is in the custody of the corporation.

The same historian has noticed a prior charter, granted by William Earl of Arundel to the burgesses of Oswestry (p. 340), which he states to be "its first charter, from its brevity called by the Welsh shartar gwtta, or the short charter." This was granted in the reign of Henry the Second, and imparted to the burgesses the same privileges with those of Shrewsbury.

Fairs.

7. A grant of a Fair, upon the eve, the day, and the day after the Feast of St. Andrew, by Henry the Third in 1227, to John Earl of Arundel, Lord of Oswestry, is also mentioned by Pennant (p. 341); under which the bailiffs were constituted clerks of the market, with power to imprison any persons who used fraudulent ways in buying and selling; and likewise a subsequent grant of another fair by Edward the Third in 1331.

Charters produced.

8. The next Charter, in point of date, that was produced, after that of Richard the Second was one from the above-mentioned Thomas Earl of Arundel and Surry, dated at Oswestry the twenty-fifth of January, 8th Henry the Fourth.

It conferred many important rights and privileges, several of which are enumerated by Pennant (pp. 344, 5) as elucidating the manners of the times and customs of the district; and it is stated by him to have received the confirmation of the several succeeding lords of Oswestry down to the time of Henry the Eighth. Among these, one of Philip Earl of Arundel, lord of the lordship of Oswestry, dated 22d May, 24th Elizabeth, is in the possession of the corporation, and was produced. There were also produced letters patent of Elizabeth, dated at Westminster, 24th October, in the 42d year of her reign; a copy of a grant of eleventh James the First; and a charter, 15th of March, 14th of James the First, to the bailiffs and burgesses of Oswestry, dated at Westminster.

Governing Charter.

9. On the 13th of January, 25th of Charles the Second, the present Governing Charter of the town bears date; it recites that the bailiffs and burgesses of the town and borough of Oswestry had used and enjoyed divers liberties and franchises, as well by the above-mentioned charter of James the First, and by charters of divers others his progenitors and predecessors, as also by reason of divers immemorial prescriptions, usages and customs; and further that William Earl of Craven, then lord of the lordship and borough or town of Oswestry, and also the present bailiffs and burgesses of the same borough, had humbly besought his Majesty for longer privileges; and it then proceeds completely to remodel the municipal constitution, and to provide at great length for the government of the borough.

The most important of these regulations will be noticed in the sequel.

III. Title.

10. Previously to the date of the governing charter, the Title of the corporation appears to have been uniformly "The Bailiffs and Burgesses of the Borough of Oswestry." By that charter it is specified to be, "The Mayor, Aldermen, Common Council and burgesses of the borough of Oswestry, in the county of Salop."

11. The

OSWESTRY.

IV. Officers.

11. The Officers of the corporation are—

Mayor	1
Steward	1
Recorder	1
Coroner	1
Alderman	12
Common Council	15
Town Clerk	1
Serjeants-at-Mace	2
Marshal and Crier	1
Gaoler	1
Messenger	1

Mayor, election of.

12. The Election of the Mayor is, according to the charter, to be made by the mayor, aldermen and common council of the same borough for the time being, or the greater part of the same, of whom the mayor for the time being is to be one, and it takes place annually upon Friday next after the Feast of St. Michael the Archangel. The mayor is chosen, out of the aldermen or common council, for a year.

The practice was stated to have been conformable to these provisions of the charter. The interpretation, however, of the charter upon which the corporation have acted has been, that it is only requisite, for the election of corporate officers, to have the assent of a majority of the entire body of aldermen and councilmen, without having a majority of each definite integral part; and accordingly at the last election of mayor there were present 16 members of the select body, of whom five only (including the late mayor) were aldermen, and 11 were common councilmen.

There have only been two instances in the last thirty years in which the same individual was re-elected mayor; and upon those occasions the whole body of persons eligible had served the office, so that the second election of some one was inevitable.

Mayor, amotion of.

13. By the charter, the Mayor, in case of his not behaving himself well in that office, or for any other reasonable cause, is removable according to the good pleasure of the alderman and common council for the time being or the greater part of them, who, within fourteen days next following the death, removal or departure of any mayor, may proceed to nominate and elect another in his room.

There is no instance on record of any such removal.

Deputy Mayor.

14. The charter provides that if it shall happen that the mayor for the time being be so sick as to be unable to manage the necessary business of the borough, or shall intend to go out of the borough for some reasonable cause by license of the aldermen and common council thereof for the time being, or the greater part of them, and shall go out, then and so often it may and shall be well and lawful for the mayor to constitute one discreet man of the aldermen of the borough to be his deputy.

Accordingly, Sir Watkins Williams Wynne, who never resided in the borough, in his mayoralty in 1831, appointed the Rev. James Donne, D. D. his deputy.

It did not appear whether the license required by the charter had been duly obtained on that occasion. But on a subsequent appointment by Thomas Longueville Longueville, esq. of Thomas Morris, esq. to be his deputy, a license, dated the 8th of August 1833, signed by five aldermen and ten councilmen, was obtained.

Mayor, functions of.

15. By virtue of his office, the mayor is a justice of the peace for the borough, is presiding officer in the courts of record and quarter sessions, and at all corporate meetings.

Privileges of.

16. The only privileges exclusively enjoyed by the mayor are the appointments of the gaoler, serjeants-at-mace and constables, and of four out of the six attornies licensed to practise in the court of record. According to a bye-law of 14th January 1677, the mayor was to have the casting vote in all assemblies, but no instance is recorded of the exercise of this privilege.

Salary.

17. He has no salary or emolument whatever.

Steward, appointment of.

18. The charter provides for the appointment of a discreet man learned in the laws of England to be steward of the borough, and ordains that the steward of the lordship of Oswestry for the time being shall, from time to time and at all times thereafter to come, be the steward and one of the aldermen of the borough.

The appointment of the steward is in the lord of the manor, and has been uniformly for life, without any instance of removal.

The present steward is the Honourable Thomas Kenyon, of Pradoe, Salop.

Functions.

19. The steward, by virtue of his office, is also, under the charter, a justice of the peace, and sits with the mayor at quarter sessions. His attendance has been regular, and as chairman of the quarter sessions for the county he is conversant with criminal laws.

Privileges.

20. The privileges annexed to the office of steward are: 1st. By a provision in the charter, the steward of the lord of the manor for the time being must be one among the members of the corporation who are empowered to create burgesses, to which act, therefore, his assent is requisite; and, 2d. Power is conferred on him by the charter, of appointing the remaining two out of the six attornies licensed to practise in the court of record.

Salary.

21. The Steward has no salary or emoluments.

OSWESTRY.

Recorder, election of.

22. The Recorder is elected by [the mayor, aldermen and common council for the time being, or the greater part of them, of whom the mayor is to be one. The charter requires that he also shall be a discreet man, and learned in the laws of England.

The appointment of the first recorder, Morgan Wynne, esq. was during his natural life, but the charter is silent as to the period for which any subsequent recorder shall fill the office. It provides, that after the death or surrender of the said Morgan Wynne, no recorder thereafter to be elected or constituted may by any means intermeddle in that office before he shall be approved by his Majesty or his successors.

The present recorder, the Right honourable Charles Watkins Williams Wynne, of Llangedwin, was elected 2d November 1798, and the royal approval is dated 15th December, in the same year. He is a barrister, as was his predecessor, Richard Hill Waring, esquire.

Recorder, functions of.

23. The Recorder is a justice of the peace for the borough by virtue of his office.

The attendance of the present recorder at quarter sessions has not been regular. Indeed he has never attended since the appointment of the present town clerk in 1832; but it was apprehended that in case of non-attendance of the steward, or the occurrence of any case of difficulty, he would attend.

Salary.

24. The recorder has never, in recent times, received any salary; it appears that about a century ago, a small salary used to be paid to that officer by the lord of the manor.

Coroner, appointment.

25. The charter provides, that the last mayor of the borough for the time being, yearly, immediately from and after and as soon as he shall determine his office of mayor, shall be Coroner in and through the borough and the liberties and precincts thereof, with full powers of the office.

The office is performed in person by the present coroner, Mr. Longueville; the county coroner does not interfere. But inquests are very rare; the last was in 1831.

Functions.

26. The coroner is a justice of the peace, by virtue of his office, and acts regularly in that capacity.

Salary.

27. He has no salary, and the fees to which he is by law entitled are received, with his permission, by the town clerk, who always attends and draws up the inquisitions for him.

Aldermen, election of.

28. The charter ordains that when any of the aldermen do die, or be removed from the office, or do depart (which removal for a cause reasonable, at the discretion and good pleasure of the mayor, of the rest of the aldermen that survive, and of the common council for the time being, or the greater part of them, of whom the mayor shall be one, is thereby authorized), then and so often, it shall be well lawful for the said mayor, the surviving aldermen and common council, or the greater part of them as afore-mentioned, within a convenient time after the death, removal or departure of such aldermen, to nominate and elect another honest and fit man of the common council of the borough for the time being to supply the number of twelve aldermen.

The usual practice has been to take them according to seniority of election as councilmen, but there is no regulation to that effect, and the last alderman was in fact chosen out of order.

They are to exercise the office during their natural lives, unless removed as afore-mentioned.

No instance of removal is recollected.

It is the practice to circulate a notice to the electors about a week or a fortnight previous to the holding of any meeting to fill a vacancy.

Aldermen, privileges of.

29. The Aldermen have not any exclusive privileges, salaries or emoluments.

Common Council.

30. The provision in the charter for supplying vacancies in the Common Council upon the death, removal or departure of any of its members, is in precisely the same terms as that respecting the aldermen, providing, however, that they are to be chosen out of the more discreet and more honest burgesses of the borough.

They also exercise the office during their natural lives, unless in the mean time for some reasonable cause in manner aforesaid removed.

Councilmen, privileges of.

31. The Common Councilmen have no exclusive privileges, salaries or emoluments.

Town Clerk, appointment of.

32. The charter provides that the corporation shall have one honest, discreet and fit man, who shall be the common clerk of the borough, with full power and authority to do all things appertaining as well to the office of the common clerk of the borough, as to the office of clerk of the court of the same borough, and that his election and nomination shall be made by the lord of the manor or lordship of Oswestry for the time being.

The appointment of the first common clerk under the charter, John Moorall, gent., was during his natural life.

The charter does not specify the period for which future town clerks shall be chosen, but the present appointment is for life; it is under seal and stamped.

Deputy.

33. By the charter, if the common clerk shall not reside within the borough, or not execute the business of his office in his own person, during such his non-residence or absence, he shall appoint an honest, discreet and fit man, not being an attorney of the court of the borough, and to be from time to time allowed and approved by the steward of the borough for the time being, by writing under his hand and seal, to be his Deputy.

Functions of Town Clerk.

34. The Functions of the Town Clerk, or his deputy, are in part defined by the charter; they are thereby required for ever thereafter, without delay, to inroll or cause to be inrolled all

all and all manner of fines and amerciaments within the borough, imposed or assessed in the court of record of the same borough.

And it is ordained, that the common clerk for the time being shall thenceforth for ever be clerk to receive recognizances of debts according to the form of the statute merchant and statute of Acton Burnell, and shall have a seal for the sealing of the aforesaid recognizances.

The town clerk also, in fact, performs all the functions which ordinarily appertain to the office, attending all meetings of the borough magistrates, and acting as clerk of the peace at the borough sessions; he is also, in fact, but not necessarily, clerk to the coroner.

Salary.

35. The town clerk has no salary, but takes the usual fees received by magistrates' clerks and clerks of the peace, and is paid as solicitor by the corporation.

Serjeants-at-Mace, appointment.

36. The Serjeants-at-Mace are appointed in pursuance of the charter, which ordains that they shall be yearly nominated by the mayor for the time being, and provides that each of them shall at all times and in all places within the borough, the liberties and precincts thereof, have and publicly bear a mace of silver or silver gilt, engraven with the royal arms at the upper end, and those of the lord of the manor at the lower end, which mace they are enjoined to bear openly in their hands, or upon their shoulders, in a solemn and decent manner, bear-headed, before the mayor or his deputy, as often as they shall be commanded.

Functions.

37. They are directed by the charter to be ministers attending upon the mayor or his deputy, and upon the courts of record to be held in the borough, and to do and execute all manner of suits, processes, precepts, warrants, attachments, and commandments of the courts and mayor, according to the laws and statutes of the realm of England.

One of them is also gaoler of the borough gaol, and both act as constables, and serve warrants and summonses from the borough magistrates.

Salaries.

38. They have no fixed salaries, but are partly paid by being allowed to appropriate the tolls due to the corporation, upon goods sold within the borough, at the fairs and markets, which would seem to be very variable in their amount and precarious in their collection. (See section 61.)

They also receive certain small fees upon the service of process from the court of record and as constables, and the gaoler has apartments in the gaol rent-free.

Marshall and Crier.

39. After requiring that for ever there may and shall be within the borough aforesaid, six honest and discreet men, who shall be and shall be called attornies of the aforesaid court of record, (whose appointment has been already noticed, and whose functions will be adverted to under the head of Courts) the charter provides for the appointment of an honest and discreet man to be Marshal and Crier of the said court. He is to be elected and nominated by the mayor for the time being, and to continue in office until he shall be removed by the mayor for the time being.

Functions.

40. He acts as clerk in the town clerk's office, for which duty he is paid by the town clerk personally, also as examiner of the weights and measures within the town and liberties, and as billet-master, in which capacity he receives 12*l.* a year from the borough rates, besides the small fees payable to him in his office of crier.

Murenger.

41. A nominal appointment to the office of Murenger still takes place annually, though the active duties of the office have long ceased. In their original institution, these officers, here, as in Chester and other walled towns, were the conservators and superintendants of the repairs of the walls; but their more recent office appears to have been, the collection of a fine from all foreigners carrying on trade within the borough at other times than at the fairs. And this duty appears to have been exercised in pursuance of a provision of the charter, whereby it is ordained that no stranger or foreigner, unless he be free burgess of the borough, and also free of the company wherein he shall intend to trade, or have served as an apprentice to the said trade within the borough for the space of seven years, shall at any time, except in the time of fairs, set to sale any wares or merchandizes within the said borough, liberties or precincts thereof, otherwise than ingross or wholesale, except victuals for the feeding, relief and sustenance of the said borough and the inhabitants thereof, nor shall keep any shop, or use any mystery, occupation or handicraft therein without the special license and allowance of the mayor, aldermen and common council for the time being, or the greater part of them (whereof the mayor to be one) in writing under the common seal of the borough from them first had and obtained, under pain of royal displeasure, and of such penalties and forfeitures as might by law be inflicted.

And as a further security against such intromission, the charter provides that the corporation shall have full power and authority, from time to time, to regulate and punish such strangers and foreigners who shall presume to enter into or infringe the freedom of the borough by imposition of a reasonable fine equivalent to the quality of their offences, or seizure of their goods, "if the laws would so permit;" which fines and seizures were to be levied by way of distress upon the delinquent's goods and chattels; one moiety whereof was to go to the use of the borough, the other to the lord of the manor.

The fines collected under this authority in living memory have amounted to about 20*l.* a year at the highest, and from that sum down to 4*l.* or 5*l.* a year. They were collected as lately as in 1798, if not more recently. The murengers did not appropriate the amount, but applied it to the payment of a scavenger, and in repairs and improvements of the town.

V. Freedom, how acquired.

42. The mode of acquiring the freedom of the borough is pointed out by the charter.

The mayor, aldermen, common council and burgesses, and the greater part of them, have power

OSWESTRY.

power from time to time to nominate, constitute, elect, appoint and make any person whatsoever who has served as an apprentice within the borough, or had a family within the borough, liberties or precincts thereof for the space of seven years, to be a free burgess thereof; and the mayor, aldermen and common council for the time being, and steward of the lord of the manor for the time being, and the greater part of them (whereof the steward must be one,) have power to nominate, elect, appoint and make any persons whatsoever free burgesses of the borough.

The controlling power thus vested in the steward of the lord of the manor does not appear to have been neglected. The book containing the entry of admission of freemen has been invariably signed by him.

The charter provides that the persons so elected shall have, hold and enjoy all privileges, franchises and liberties of the borough fully, freely and absolutely to them and their heirs for ever, unless he or they shall be for some just, fit and reasonable cause and consideration expelled, removed or disfranchised by the mayor, aldermen and common council, or the greater part of them; and practically, it has always been held here that those eligible by birth to the freedom of the borough were entitled to it after admission of their fathers as matters of course, upon application to be admitted; nor is any instance recorded of a refusal to admit such persons.

The present mayor was admitted to his freedom and elected into the council at the same meeting.

Burgesses, duties and privileges of.

43. The Burgesses serve on juries within the borough in common with other inhabitants.

By the charter the burgesses are exempt generally; and in practice all the inhabitants, whether burgesses or not, are exempt from serving on juries out of the borough.

The burgesses at large are exempt from toll within the borough, before as well as after admission. The exemption from toll throughout the kingdom (the liberty of the city of London excepted), which was conferred by the charter of Richard II. (*see* s. 6.) does not appear to be enjoyed or claimed at the present day.

Emoluments.

44. The burgesses have no emoluments whatever.

Burgesses, Number of.

45. The resident burgesses at present are eleven in number; the non-resident eighteen. The borough of Oswestry having never returned Members to Parliament, the freedom of the town appears, from an early period, to have been rather an object of indifference to the inhabitants. Among the bye-laws passed on the 14th January 1677 (*see* s. 55.) it is enacted that summonses shall be given to inhabiting burgesses (not before sworn) to be sworn before the mayor or be disfranchised.

VI. Ruling Body.

46. The exclusive power lodged in the superior officers of the corporation, sufficiently appears from the foregoing statement, respecting the provisions of the charter, and the practice as to their appointment.

The borough magistrates are, in effect, esteemed (and with ample reason) to have the uncontrolled power of regulating all the elections to corporate offices.

VII. Fees paid on admission.

47. The Fees paid on admission appear to have varied; there used formerly to be 2*l.* paid in all cases alike of admission to freedom; the fee now paid is 10*s.* 6*d.*, exclusive of the stamp; it is received by the town clerk, who engrosses the admission and gives a certified copy to the party admitted. Only one admission (that of the present mayor) has occurred since the appointment of the present town clerk.

VIII. Courts, Criminal.

48. The only Court of Criminal Jurisdiction within the borough is that of the quarter sessions, at which the mayor presides, with one other, at least, of the borough magistrates; generally three attend.

The charter provides that the mayor of the borough for the time being, during the time of his mayoralty, and for one whole year then next to come, during which year he is the coroner, and the steward and recorder of the same borough for the time being, or some three or two of them (whereof the mayor is to be one), shall have and keep a general session of the peace within the borough, liberties and precincts thereof, in as ample a manner as other justices of the peace of the county of Salop, or the bailiffs of the town of Salop within the said town, may or ought to do.

Power is then given to them to commit to the common gaol of the county of Salop, for any treasons, murders, homicides, or any other felony whatsoever; and it is ordained that no other keeper or justice of the peace, or any other officer of the Crown, shall presume to intermeddle, as justice of the peace in the county of Salop, with any person, for any matter, cause or thing happening within the borough or liberties, or precincts thereof.

The extent of jurisdiction of the borough justices had been previously defined in the charter; they are to inquire concerning all manner of felonies, murders, homicides, &c. within the borough or liberties, and precincts thereof, and to punish by fine, ransom, imprisonment, forfeiture or otherwise, so that they do not proceed to the trial of treason, murder, felony, or any other offence whatsoever, concerning the loss of life or member, without a special warrant or license from the Crown.

The process is made conformable, as near as may be, to that of the quarter sessions for the county.

The fees payable in the court are somewhat lower than the ordinary fees at quarter sessions.

On every indictment for felony, the crier, serjeants-at-mace, and beadle, receive a fee of 6*d.*, and the crier an additional fee of 6*d.* for every oath administered.

Tables of the other fees accompany this Report.

The

OSWESTRY.

The sessions are not attended by counsel. There was only one prisoner for trial during the last year.

Petty sessions are holden generally once a week, but oftener if needful, at which two of the borough magistrates attend.

Civil Court.

49. The charter provides that the mayor, aldermen, common council and burgesses, shall from thenceforth for ever, have, hold and keep within the borough, in the guildhall thereof, one court of record every Friday in every week throughout the year (holidays only excepted), to be held before the mayor of the borough for the time being, or his deputy, and that they may hold all manner of pleas, actions, suits and demands of trespasses, &c. all manner of pleas and actions upon the case, deceipts, accounts, debts, covenants, detinues of charters, escripts or muniments, and captions of chattels and detinues of cattle, goods and chattels, and all other contracts whatsover, arising, happening or existing from any cause or things whatsoever, within the borough, liberties or precincts thereof, in as ample manner as the bailiffs and burgesses of the town and borough had heretofore had, held, used and enjoyed the same.

It afterwards gives power to attach by their bodies, all persons who shall be suspected insufficient or insolvent in any actions personal there, and gives one moiety of all fines, issues, penalties, &c. arising in the said court of record to the mayor, and the other moiety to the lord of the manor; and it further provides that the mayor, aldermen, common council and burgesses, shall have recognizance of all manner of pleas and actions of debts, accounts, trespasses, covenants, deceipts, detinues of chattels, charters, and of all other actions or plaints personal whatsoever, which shall arise, happen or grow within the borough, together with all profits and emoluments whatsoever arising thereof; and that the mayor for the time being, together with the clerk deputed to receive recognizances as before mentioned, shall have full power to receive any recognizance between merchant and merchant, and to make thereupon execution according to the form of the statute merchant, and the statute of Acton Burnell.

Causes to any amount arising within the limits of the borough are tried in this court, the mayor presiding, assisted by the town clerk.

The process is by personal summons, where the amount sued for is under 40*s.*, and by capias above that sum. Where the amount of the debt is under 20*l.* there is a mere personal service of the *capias*; above that sum, power granted by the charter to arrest and bail prevails, in which they conform to the practice of the superior courts.

Trials are rare; but there are many cases of service by process and judgments recovered by default.

The charter further provides that the same fees and profits of suits in court and out of court shall be taken by the several officers and practitioners of the court of record at Oswestry as the same officers and practitioners of the town of Ludlow, or any of them, do have, take, demand or receive. And these are represented to be one-half of those taken in the Common Pleas at Westminster, to which scale it is endeavoured to accommodate them as nearly as possible.

In the last year there had been eight causes entered; the highest amount sued for being 36*l.* 10*s.* and the next 28*l.* 4*s.*; in both these cases defendant was arrested, and in one payment made; in the other, a *cognovit* given.

The debts are mostly of this class.

The pleadings are in writing.

The court is held, pursuant to the charter, every Friday, and adjourned in default of business.

The inhabitants are represented as considering the court beneficial, as furnishing cheap and expeditious means for recovering their just debts, the cases being mostly such wherein there is no meritorious defence to the action.

The members of the profession who practise in the court (being the six attornies appointed in pursuance of the charter as above mentioned) are desirous to have the jurisdiction extended to the hundred: according to a bye-law of 14th January 1677 (*see* sec. 55), no attorney was to be continued as a practitioner in this court unless he were a burgess; but this does not appear now to be in force.

Pie Poudre Court.

50. The charter provides for the holding of a Piepoudre Court in the times of the several fairs; but this has gone into complete disuse.

IX. Juries.

51. The selection of the Juries devolves entirely upon the town clerk, who puts on the several lists whomsoever he thinks fit from the inhabitants at large.

He takes the Grand Jury from the principal class of tradesmen, of whom there are about 50 qualified in his judgment to serve, and calls upon them to serve in rotation as nearly as possible.

The Petty Jury are taken in the same way from the lower class of tradesmen; a distinct pannel, but consisting of the same class, is kept for the court of record, and these would likewise be selected by the town clerk in the event of any cause proceeding to trial. He also selects the Coroner's Jury from the most respectable inhabitants residing near the spot where the death occurred.

The sheriff never summons any inhabitant of the borough, whether burgess or not, to serve on juries without the borough, although the exemption in the charter is a privilege confined to the mayor, aldermen, common council and burgesses, and their successors.

X. Local Police.

52. The Local Police consists of the two serjeants at mace, one of whom is the superintendent of police, and was sent from London with a recommendation from the Metropolitan Police Establishment; and the other is the borough gaoler, and also of 16 constables.

OSWESTRY.

These latter have been greatly relieved in their duties since the introduction of the police officer; through which means also the expense of a night watch has been in a great measure superseded.

The town is divided into five wards, with a certain number of constables appropriated to each ward in proportion to its extent and exigencies.

Fees, &c. of Police.

53. The superintendent of police has a salary of 40 *l.* paid out of the rates levied in pursuance of the Local Act, 49 G. 3, hereafter mentioned.

He has also the privilege of receiving the proceeds of a moveable weighing machine, constructed at the expense of the corporation, to be used at the fairs and markets upon payment of a small fee by those who require to use it.

Likewise his fees as serjeant-at-mace, the mileage allowed by the justices on taking prisoners to Shrewsbury gaol, and his house in the gaol rent-free.

The constables have no payment from the corporation.

This constabulary force is in ordinary circumstances found to be quite sufficient for the preservation of the peace. But upon the recent breaking out of a spirit of insubordination among the colliers at Ruabon Chirk and Black Castle, distant not many miles from Oswestry, it was found necessary to swear in many special constables, and to call out the North Salopian Yeomanry, with whose assistance the disturbance was quelled, and the offenders brought to justice.

XI. Gaol.

54. The Borough Gaol was erected in 1825, at an expense of about 300 *l.*, partly defrayed by the county, on the condition of their having the use of it as a Lock-up House, whenever occasion might require; but principally by the town.

The corporation did not bear any part of the cost of its erection.

Previously to the construction of this gaol the only place for the occasional confinement of prisoners consisted of some cells under the town clerk's office, exceedingly damp, but which have been appropriated, by the yeomanry above-mentioned, as a depôt for their gunpowder.

The present gaol is visited by the borough justices; it is ordinarily used as a place of confinement for infant prisoners only, others being sent to Shrewsbury

There are two separate wards, but seldom used for more than one class. Instances have formerly occurred of confinement of prisoners for debt there for twelve months; but none recently.

XII. Fines.

55. By virtue of certain bye-laws enacted at an assembly of the mayor, aldermen and common council, on the 14th January 1677, a fine of 30 *l.* is imposed upon any person who shall refuse to serve the office of mayor, and of 10 *l.* upon any who shall refuse to serve those of aldermen and common councilmen. These fines have been occasionally imposed and levied; some recently.

Thus on the 25th of October 1811, it appears from an entry in the corporation books, that Henry Warren having refused to take upon himself the office of mayor, and offered 30 *l.* to be excused, a resolution was passed to accept that sum in satisfaction of the fine for his refusal.

Fines also for non-attendance of those in office appear to have been levied in former times, though none of recent date.

XIII Property.

56. From some cause, of which no sufficient explanation was given, scarcely any account could be obtained, even of the most recent, of the fiscal transactions and concerns of this corporation; the town clerk assured us, that the only account book of the corporation in his custody, was one relating principally to the building which now forms the Town Clerk's Office; and that the payment of 30 *l.* by Mr. Warren (above mentioned) was not entered in any book whatever. On the other hand it was in evidence, that entries relating to sums of money paid on fines of this nature, had been seen in books procured from the uncle of the present town clerk, who was mayor of Oswestry at the time, and that these books, which were obtained for the purpose of compiling a printed history of the town, were restored to the town clerk's office about the year 1816.

These documents never came into the possession of the present town clerk. Mr. Lewis Jones, to whom the present town clerk succeeded in 1832, filled that office in 1816, and his father was town clerk before him. Both these gentlemen were solicitors.

Although, however, no detailed statement of the corporation accounts could be procured, a sketch of the present state of their finances was furnished, from which the following information was derived.

The sum of 30 *l.*, received from Mr. Warren in 1811 as before mentioned, was stated to have been applied by the corporation (very meritoriously) to the promotion of the establishment of the National School.

A sum of 240 *l.* was lately raised by the sale of two small plots of land, and out of the proceeds the corporation subscribed 170 *l.* towards the erection of an engine-house upon land forming part of the curtilage of the town clerk's office. The fire insurance offices bore the rest of the expense.

Over the engine-house is the room occupied, rent-free, as before mentioned, by the superintendant of police.

Funds.

57. Shortly after the present town clerk took the office he received 98 *l.* from the sale of some buildings in which the corporation had an interest, and which was sold and pulled down under the New London Bridge Act.

This sum was carried to account by him, and, together with the balance of the above-mentioned

mentioned 240*l.*, it forms the whole property possessed by the corporation. The wastes within the borough belong to the lord of the manor, and the proceeds of the mayor's tolls (an account of which is given below) are absorbed by the gaoler. OSWESTRY.

58. There is, indeed, a Rent-charge of 1*l.* 1*s.* per annum stated to be due from the representatives of Mrs. Eleanor Kemp, under an agreement for a lease granted by the corporation in January 1786, and a subsequent agreement to convey the fee, subject to that rent-charge, in consideration of the re-building and improvement of the frontage. Rent-charge.

But no payment of that rent-charge appears ever to have been made, although, in 1813, the matter was made the subject of reference, and the arbitrator gave an opinion (but made no formal award) in favour of the claim of the corporation.

59. A sum of 200*l.* appears to have been received by the corporation, about the year 1816, from the National School Society for (what was described as) a license to occupy, in perpetuity, a large room over the town clerk's offices. It appears, however, from an entry of 24th October 1817, ordering a conveyance to be made to the National School, to have been an absolute sale of the room by the corporation to the society. The entire application of this sum of 200*l.* does not distinctly appear; but it should seem, from some contemporaneous entries in the corporation books, to have been applied somewhat less with a view to the public good than were the casual receipts already noticed. Money received from National School.

On the 17th of May 1816 appears the following entry:—"By cash paid Mr. Carline, for a monument erected to the late Lewis Jones, Esq., agreeable to an order in this book, 50*l.*"

This Mr. Lewis Jones, the elder, had served the office of town clerk during 14 years, and, it was stated, with eminent credit to himself, insomuch that the present town clerk, in a crowded audience, defied all Oswestry to say that the money was ill applied; nor did any one accept the challenge.

What may have been the real merits of that officer of the corporation, his private worth or public services, there is no public memorial at the present day to testify, except the monument, which undoubtedly pays a high tribute to his character. He may have found the corporation of Oswestry poor, but assuredly he did not leave them rich; and it would have been more satisfactory to have been furnished with some document illustrative of his administration of the finances of the corporation, especially when it is considered how commonly an overweening self-approbation distinguishes self-elected bodies. The monument was erected in the parish church upon payment, by the corporation also, of the usual fee to the incumbent for his license. "By cash to the Rev. J. W. Bourke, for permission to erect monument to the late Lewis Jones, Esq., 5*l.* 5*s.*" That the services rendered by this officer to the corporation, however important, had not been gratuitous, appears plainly from the following contemporaneous entry:

"By amount of two bills for business done for corporation, 39*l.* 0*s.* 4*d.*" The following entry is of the same date, "By cash to Mr. Stanton for repairs of the corporation punch-bowl, 5*l.* 4*s.*" This capacious vessel of japanned metal, with the arms of the donor inlaid in silver, and inscribed "the gift of Robert Williams to the corporation," is carefully preserved by them.

60. There is no publication of the corporation accounts, nor indeed any statement of them, otherwise than by casual entries in the books, such as the foregoing. Publication of Accounts.

To these books none but the select body have access, nor does any application for inspection ever appear to have been made.

61. The "mayor's tolls" are collected and appropriated, as before noticed, by the gaoler, in compensation for the duties of his office. Tolls, Mayor's.

They are taken by usage; there being no book or table of the tolls whatever; and are collected on the market days (every Wednesday) and at the seven annual fairs, four of which are held under the charter.

Fourteen townships in the immediate vicinity of the borough are free from tolls; so that the extreme average annual produce of these tolls is stated to be but 15*l.*

One penny is paid for every standing; and the same for each vending place of fruit and vegetables; potatoes pay from 2*d.* to 4*d.* per cart, according to the size, but the payment is stated to be in a great majority of cases refused or evaded. Corn, butter and poultry, are exempt.

62. The tolls payable to the lord of the manor are more productive. They are let for 40*l.* per annum; and a subscription is on foot for buying up the interest in them of the present Lord (Clive.) Lord of Manor.

Formerly these tolls were collected throughout the town; but since the occurrence of a trial at Shrewsbury, about 15 years ago, between Lord Clive *v.* Rogers, they have been taken at the places only where the gates of the town formerly stood; each gatekeeper having a regular table of the tolls.

63. It should seem from ancient documents produced at that trial, that the burgesses of Oswestry formerly enjoyed a right of common over two several commons, called "Avon Goch and the Burgesses Meadow." But no title to any such property or right is now to be found among the muniments of the corporation. Commons.

64. At the present day there is no Patronage whatsoever exercised by the corporation. XIV. Patronage.

Previously to the 10th Charles I. it may be inferred from the following inquisition, that the bailiffs and burgesses of Oswestry enjoyed the right of presentation to the mastership of

OSWESTRY.

the free grammar school there, founded by David Holbetche (subject to the approbation of the Crown), and had, jointly with the schoolmaster, the management and control over the lands and tenements devised by the founder for the maintenance of the master and reparation of the school-house.

An original letter, under the sign manual of the Lord Protector, given at Whitehall, the 13th day of July 1657, is now in the possession of Dr. Donne, and was produced. It is addressed "To our trusty and well-beloved the bailiffs and free burgesses of our towne of Oswestree. These," and contains a recommendation of a new master to the free school there, "now voyd of a head schoolmaster there, by reason of the delinquency and ejection of Edward Paine."

By an inquisition taken at Oswestry the 17th September, 10th Charles I. before John Lord Bishop of St. Asaph and others by virtue of his Majesty's commission out of his Majesty's High Court of Chancery to them directed, to inquire concerning charitable uses in the county of Denbigh, and in certain parishes in the county of Salop, it was found (amongst other things) that "by the most common and general usage the bailiffs of the said towne and the schoolmaster have for the most part jointly set, let and disposed of the said lands and tenements for use and for maintenance of the schoolmaster and school-house," &c. An account follows of some abuses of the then bailiffs, a discharge of them from their trust, with an injunction to them to make good their default, and then the following injunction:

"We do order and enjoin that the nomination and placing of the schoolmaster there shall be left to the bishop and ordinary of the said diocese for the time being, according to law; and that the said Edward Payn (the then schoolmaster—whose delinquency and rejection are recited by Oliver, in his letter), and his successors, schoolmasters of the said school, from time to time and at all times, from and after the Feast of All-Saints next ensuing, shall and may let and set the said premises in possession and not in reversion, &c. so as the consent of the bishop and chancellor of the said diocese for the time being, and of the two bailiffs of the said town of Oswestry for the time being (whereof the said bishop always to be one) be first had in writing under their hands, for the making of such lease."

Whatever may have been the case during the Protectorate, it would seem that from the time of Charles II. down to the present day, the bishop of the diocese of Saint Asaph for the time being has exercised the right of appointing the master; and that the officers of the corporation have not even interfered in letting the lands.

The present master, the Rev. Stephen Donne, is the son of the Rev. James Donne, D. D., who preceded his son in the mastership. By means of two very expensive law-suits, Dr. Donne recovered certain lands consisting of about 28 acres, which had been lost to the school, and in the attempt to regain which five preceding masters in succession had failed.

All is now restored to the school that is contained in its ancient terrier, except about two acres.

In Leland's Itinerary it is stated that the annual value of the endowment of this school was, in his time, about 10*l.* a year. The present annual value, including that of the house, is estimated at about 330*l.*, the school-house having been greatly improved by Dr. Donne.

The whole value of the improved rents of the lands in the reign of Charles I. is stated to have been 54*l.* 19*s.* 8*d.* An upper master and two under masters were retained by Dr. Donne at high salaries, so as to leave little or no surplus from the proceeds of the lands.

The school is free for all boys born in the parish of Oswestry, to be instructed in grammatical learning in the English, Latin and Greek languages; and is open indiscriminately to all, whether children of burgesses or not. But the same remark applies here as in the reports on the boroughs of Ludlow and Ruthin, that it is difficult to account, except from some mismanagement, for the very limited use made of this free institution. There are but 21 boarders and about 20 day-scholars, and of these all the boarders are paid for, and not free, scholars.

Nor does it appear that the number of free scholars has at any time much exceeded this limit.

The charge for instruction in writing, which was formerly two guineas, is now four, and the boys are charged for their books, but at the London prices. No abuse was imputed to the master, upon the Municipal Inquiry.

XV. Acts of Parliament.

65. The only Act of Parliament relating exclusively to the municipal government of the town and borough of Oswestry is that of 49 Geo. III., intituled, "An Act for paving, cleansing, lighting, watching and otherwise improving the Streets and other public Passages and Places in the Town and Borough of Oswestry, in the County of Salop."

There is, however, also an Act of Parliament relating materially, though not exclusively to the town, which deserves particular notice. It is that of 31 Geo. III., intituled, "An Act for better Relief and Employment of the Poor belonging to the Town of Oswestry, and to certain Parishes within the Hundred of Oswestry, and to such part of the Parish of Llanymyneck as lies within the said Hundred, and to the Parish of Chirk and Parish of Llansilin."

Under this Act the districts and places in question are incorporated for the maintenance of the poor; a spacious house of industry has been erected about half a mile from the outskirts of the town, on the Pool road, where the poor are set to work, principally in the manufacture of flannels and coarse woollens, and maintained in great order and cleanliness. The board days are attended weekly by respectable inhabitants of the town and its vicinity; and the whole establishment appears to be admirably regulated and conducted on the most approved system.

The poor rates in the surrounding parishes, not incorporated, are represented to be more than double those of the incorporated district.

66. The

OSWESTRY.

66. The district around the borough of Oswestry is entirely agricultural, except that land-sale collieries upon a small scale are worked in the immediate vicinity, at Maesyllan. XVI. General state and prospects.

The wages of labourers in husbandry are about 9 *s.* a week, with good employment.

The poor rates are considered light: they are generally 10 *d.* or 1 *s.* per quarter in the pound, on a valuation ranging between one-half and two-thirds of the rack rent only.

Church.

67. The cure of the established church, which is a vicarage, is held by the Rev. Thomas Salway, M. A., formerly a fellow of St. John's Coll. Cambridge. He is non-resident at present in consequence of severe ill-health, which compels him to reside at his rectory of St. Florence, near Tenby, South Wales,—a sinecure which he obtained in right of his fellowship. He has been 10 years vicar of Oswestry.

Lord Clive, the lay impropriator of the great tithes, is patron of the vicarage. The church was an appendage to the monastery of Shrewsbury, until its dissolution, as one of the great religious houses, 31 Henry VIII., when its tithes and other possessions came into the hands of the crown.

They afterwards became vested in the Earls of Arundel, and are now in the family of Clive.

Including an annual payment of 70 *l.* for an evening lecture to be delivered weekly, under an endowment from one Phillips, and with the occasional fees, the annual value of the vicarage is stated to be about 450 *l.*

The vicar has a regular curate, the Rev. Richard Maurice Bonner, a graduate of Christ's Church, Oxford, and during his absence has engaged also the assistance of a neighbouring clergyman to deliver the evening lecture above mentioned.

The church will accommodate from 700 to 1,000 persons, and is generally well attended.

The service is now performed exclusively in English.

Schools.

68. Beside the Free Grammar School there is, in connexion with the established church, a National School, supported by voluntary contribution, and said to be extremely well regulated.

There are from 230 to 240 boys educated in this school, and generally from 150 to 170 girls, all of whom receive daily instruction. There is also within the borough a Sunday school for adults.

Dissenting Congregations.

69. The following different classes of Dissenters have places of worship within the borough:

1. Independents or Congregationists.
   - Their numbers from 500 to 600.
   - Their chapel would accommodate 800.
   - They have a school with about 180 scholars.
2. Baptists.
   - Numbers from 260 to 300.
   - Their meeting-house would receive 150 more.
   - The school connected with them has about 60 scholars.
3. Welsh Calvinists.
   - Congregation from 250 to 300.
   - School with about 140; well attended, but principally by adults.
   - The service at their meeting-house, though occasionally performed in the English language, is generally in Welsh.
4. Wesleyan Methodists.
   - These have a congregation from 260 to 280, and a small school connected there with.
5. Ranters or Primitive Methodists.
   - They have a chapel and congregation of about 150.
   - They had formerly a school, but have not now.

Public-houses, Beer-shops.

70. There are within the borough thirty-six licensed public-houses and thirteen beer-shops. These are all actively visited by the superintendant of police, and regularly closed at 10 o'clock.

Nevertheless it is stated to have been the tendency and effect of the beer shops very much to increase drunkenness and immorality.

Magistracy.

71. The Mayor and Coroner, being the only two resident borough justices, have ample employment in attending to the magisterial business of the town. There are two county magistrates residing within half a mile of the town; but inasmuch as their attendance could not be at all times depended upon, and the town is one of great and increasing population and importance, it does not appear to be an ill-founded opinion which prevails, that if any change is effected in the local magistracy, it should be in the shape of an extension of their numbers and jurisdiction.

Geo. H. Wilkinson.

List of Documents.

The following Documents are sent with this Report:

A. Governing Charter, 13th January, 25 Charles II. (Copy.)
B. Act for Paving, &c., 49 Geo. III.
C. Tables of Fees at Quarter Sessions.
D. Lists of Burgesses, resident and non-resident.
E. Copy Protest of Corporation.
F. Letters.
G. History of Oswestry.

REPORT

ON

THE BOROUGH OF RHUDDLAN,

(FLINT.)

CONTENTS.

	Page
Preliminary Remarks	2837
Castle	2837
Local Limits	2837
Charters	2837
Liberties of Rothelan	2838
Customs of Hereford	2838
Additional Liberties claimed	2838
Royal Commission	2839
Statute of Rhuddlan	2839
Title	2839
Officers:	
Bailiffs	2839
Mayor	2840
Constables	2840
Freedom	2840
Ruling Body	2840
Fees	2840
Courts	2840
Juries	2840
Police	2840
Gaol	2841
Fines	2841
Property:	
Right of Common	2841
Embankment and Inclosure Acts	2841
Patronage	2842
General State:	
Agriculture	2842
Labourers	2842
Poor Rates	2842
Tolls	2843
Church and Meetings	2843
Schools	2843
Public houses	2843
Documents	2843

BOROUGH OF RHUDDLAN.

1. Rhuddlan (anciently Rothelan, or, according to Leland, Rethelan, "of Rethe, roone color or pale redde, and Glan, the shore"), is one of the old contributory boroughs, whose burgesses are entitled to join in the election of a representative in Parliament for Flint. Notwithstanding its high importance in past ages, the corporate character of the place may be considered, for all purposes of municipal government, as nearly extinct. There is no tradition of any appointment of constable of the castle (and probably none has taken place) since it was taken by General Mytton for the Parliament in 1646, and dismantled; nor, of course, has the office of mayor of the borough been filled since that period. The nomination of the borough bailiffs has, in all probability, been kept alive solely for the sake of its Parliamentary representation. Preliminary Remarks. Name and present State.

Whatever therefore relates in this report to the existing state of the borough, must be considered to rest on the testimony of persons holding no office of trust therein.

2. After describing the present dilapidated state of Rhuddlan Castle, Gough, in his edition of Camden's Britannia, ii. 591, gives the following account of its early history: "It may have been (as stated by Powel) the residence of the ancient Welsh princes burnt by Harold. Robert de Rodelent or Rothelan is expressly said, on his epitaph at Chester, to have built this castle, and long possessed it, *firmiter indigenis oppositum rabidis.* Gryffydd ap Kynan, prince of Wales, burnt it while in Robert's possession. Here Randal, Earl of Chester, was surprised, and rescued by the troops of minstrels as before mentioned. He lost his life by venturing too far among the savages with only one soldier. Henry II. rebuilt or re-fortified this castle, and Giraldus was nobly entertained in it. It derived its greatest strength and magnificence from Edward I. Queen Eleanor was delivered of a princess here in 1283. Northumberland seized this castle in 1399, previous to the deposition of Richard II." Castle.

3. The boundaries of the lordship of Rhuddlan are stated to have been regularly perambulated once in every seven years; those of the borough every two or three years. The local limits of both are well known and defined, the latter being distinguished, wherever it is requisite, by stones inscribed with the letters B. B. Local Limits.

The borough comprehends a district within the parish of Rhuddlan, called the Franchise, and also a part of the parish of St. Asaph.

On the part lying to the west of the river Clwyd Voryd, the limits of the borough coincide with those of the lordship; on all other sides the limits of the lordship extend beyond those of the borough.

The ambit of the lordship is about 10 miles; that of the borough about 6 miles. It stretches nearly a mile and a half from the town on the south; on the north, less than a mile.

Bodryddan Hall, the seat of Mrs. Yonge, the lady of the manor, is situated within, but on the very outskirts of the borough, so that a part, recently added to the mansion, lies without the limits.

4. The earliest Charter constituting Rhuddlan a free borough, appears to have been one granted on the same day with the charter of Flint, viz. 8th September, 12th Edward I. It is inspected and set out (together with a charter of confirmation by Edward III., dated 7th October, in the first year of his reign) in the charter of 3d June, 2 Richard II. An inrolment of this charter is in the Tower of London, a translation of which accompanies this report. Charters.

It had been taken from that repository within the last year by a person searching for the charters of the Carnarvonshire boroughs.

The original charter of Edward I., after providing, as hereinafter mentioned, for the appointment of the municipal officers, a mayor and two bailiffs, grants that "the said burgesses may have their free prison in the aforesaid borough for all offenders there, except cases of life and members, in which cases all, as well burgesses as others, shall be imprisoned in our castle there; nevertheless if any of the said burgesses shall be charged, accused or indicted of any offence, in such cases we will not that for that cause they be imprisoned so long as they shall find good and sufficient mainprize thereof to abide justice, before our chief justice or other our justices thereto deputed."

And, after conceding to them other important privileges and immunities, as hereafter noticed, it ordains that "our aforesaid burgesses shall not be convicted by any foreigners of any appeals, charges, injuries, offences, crimes, claims or demands, charged or to be charged to them, within the county of Flint, and between the rivers Conway and Dee, but only by our aforesaid burgesses, except concerning any matter touching the community of the aforesaid borough, and then, in that case, they shall be tried according to the liberties approved, and hitherto reasonably used in our city of Hereford."

RHUDDLAN.

Liberties of Rothelan, Evidence of.

5. These liberties and privileges however would seem to have been conceded to the burgesses of Rothelan by the same monarch at an earlier period of his reign. They are recognized in the certificate and report made by the King's commissioners, under the commission hereafter mentioned, from which the following testimony is selected, out of a mass of other evidence given under this head, viz.

> " Rothelan. Certificatio et Aprisa apud Rothelan facte coram Thomâ Menevensi episcopo et sociis suis, per juratos subscriptos, scilicet de Cantredâ de Togengel, die Veneris proximâ ante conversionem Sancti Pauli, anno regni Regis Edwardi Nono."

" Candelo, filius Gorgene, unus judicum ville de Rothelan, juratus et examinatus, &c.; adjiciens quod per cartam et concessionem Domini Regis nunc, debent Burgenses de Rothelan habere leges quas habent Burgenses de Hereford."

" Rogerus filius Willielmi, Burgensis de Rothelan, requisitus et examinatus de consuetudinibus et legibus predicte ville, dicit quod habent easdem leges et consuetudines quas habent Burgenses Hereford, &c."

" Johannes de Pelham, Burgensis de Rothelan, juratus et requisitus de consuetudinibus et legibus ville de Rothelan dicit quod audivit ex relatu Burgensium de Rothelan, quod Dominus Rex qui est nunc, concessit eis easdem libertates quas habent Burgenses Hereford; et dicit quod apud Rothelan sunt eedem leges et consuetudines usitate que et apud Herford ut credit, &c." (Wotton, Leges Wallicæ, Appendix, No. iii. p. 525–6.)

Custom of Hereford.

6. The importance thus early attached by the burgesses of Rothelan to the liberty of enjoying the Customs of Hereford, may justify their being detailed here, as set out in Wotton's Appendix, No. i. under the title of " Consuetudines Herfordie."

After reciting the petition of the mayor and bailiffs of Rothelan to the bailiffs of Hereford, to be certified concerning their customs, the record certifies the following particulars:

" Quod homines forinseci non ponantur cum civibus nostris civitatis predicte in Assis. Juratis, cum inquis. aliquibus que ratione tang. tem. in eadem civitate vel suburbio ejusdem emerserunt; set assite ille, jurate, et inquisitiones de hiis que indicta libertate civitatis vel suburbii ejusdem fecerant, emergent. per homines ejusdem civitatis, et in eadem civitate solummodò fiant, nisi res ipse tangant Dominum Regem, hæredes suos, seu communitatem ejusdem civitatis; et in illo casu debemus secundum antiquas consuetudines nostras, que tales sint."

" Quod medietas inquisitionis seu jurate sit de communitate predicta, et alia medietas sit de civitatibus vel burgis aliis vel villis propinquioribus nostris condicionis."

" Item, unus puer masculus, vel femina, potest vendere hereditatem suam cum pervenerit ad etatem xiiii. annorum, et sciat discrete ulnare pannos, et numerare duodecim denarios, et vendicio sua tunc erit stabilis et firma."

" Item, Liceat unicuique civi civitatis predicte et suburbii ejusdem, tenementa sua quæ sibi adquesierat, in eadem civitate et suburbio ejusdem, in testamento suo in ultimâ voluntate sua tanquam Catalla sua legare unicuique voluerit, preter in manum mortuam."

" Item, quod nullus minister Domini Regis cujuscunque condicionis fuerit, ingrediatur civitatem predictam nec suburbium ejusdem ad alien. sum. district. pro morte hominis, vel ad aliqua alia facienda colore officii sui quacunque causa emergente, nisi pro defectu civium predictorum, et hoc per breve Domini Regis speciale quod vocatur, non omittas propter libertatem. Et si faciat, incurrat penam x. librarum Domino Regi solvendarum."

" Item, si quis convictus fuerit coram ballivis dicte civitatis pro aliquo debito, corpus suum arrestetur quousque satisfaceret de debito, vel invenerit securitatem pro eodem, vel sufficiens sit de Catallis infra libertatem predictam."

" Item, unusquisque civis dicte civitatis vel suburbii ejusdem, potest probare debitum suum tam versus extraneos quam privatos, per visores et auditores contractus, et hoc per examinationem discret. separatim per ballivos dicte civitatis et alios sibi assumptis faciend. seu habeant tallias seu papyras, et tales testes qui vocantur 'Forwardesmen,' qui contractibus talibus sunt, vel esse debent."

" Item, cives Herfordie possunt recipere in Gildam suam Gallicos, Wallenses, Scotos et quoscunque alios qui sunt de fide et ligeancia Domini Regis Anglie, ita quod moram faciant in dicta civitate vel suburbio ejusdem, et solvant Loth et Scoth cum dictis civibus supradictis."

" Item, dicti cives possunt habere, gaudere, et uti molar. manual. in dict. civitate et suburbio et al. cujuscunque generis sint, sine contradictione alicujus."

" Item, unusquisque civis Herfordie potest placitare et implacitari, et quiscumque alius, in curia Domini Regis Herfordie, tam per breve Domini Regis quam sine."

" In cujus rei testimonium sigillum nostrum commune presentibus est appensum. Dat. Herfordie die Veneris proximo post festum Purificationis Beate Marie Virginis, anno regni Regis Edwardi Tertii post conquestum xxii. incipiente, &c."

Additional Liberties claimed.

7. The following additional claims of privileges are afterwards set out, under the title " De libertatibus Burgensium de Rothelan."

" 1. Idem Burgenses clamant quod non sunt amerciandi in curia Domini Regis pro aliqua transgressione in quam ceciderint, ultra xii. denarios."

" 2. Idem clamant quod uxores suæ in eorum absentia defendere possunt sectas Domino Regi debitas in curia prædicta."

" 3. Iidem clamant quod possunt habere molas manuales, et blada sua Dominica necessaria pro expensis domorum suarum molend."

" 4. Iidem,

RHUDDLAN.

" 4. Iidem, clamant quod possunt legare Burg. terras et tenementa sua, et redditus et alia servitia."

" 5. Iidem clamant quod locare possunt Burg. sua quibuscunque voluerint, et ea eisdem invadiare, &c. contra tenorem cartarum Domini Regis eis de Burgagiis prædictis factarum, in quibus continentur quod iidem Burgenses in eodem Burgo in Burgagiis prædictis ad efforciamendum villæ et castri Domini Regis in Burgo prædicto corporale facerent residenc. &c."

" 6. Iidem clamant quod averia nec aliæ districtiones eorum, captæ in namium, non debent duci extra villam de Rothelan infra clausum castri pro aliquibus amerciamentis nec occasionibus."

No date is given to these claims; but they prove that the burgesses of Rothelan had early learnt to appreciate the importance of the liberties already conceded to them.

Royal Commission.

8. The Royal Commission already referred to, deserves notice, as being the foundation upon which the famous statute of Rhuddlan, for the government of Wales, was enacted. And it is the more remarkable, as furnishing perhaps the earliest instance on record in our history, in which the royal authority appears to have been exercised for the purpose of collecting evidence, to be given upon oath before the commissioners, respecting local usages, laws and privileges, whereon to found a general legislative measure of municipal regulation. The commissioners were, Thomas Beke, bishop of St. David's, Reginald de Grey, and Walter de Hopton.

It is given in Wotton's Leges Wallicæ, Appendix, No. iii. p. 518; and is to the following effect:

" Edwardus, Dei gratia Rex Anglie, Dominus Hibernie, et Dux Aquitanie, Venerabili in Christo Patri Thome eadem gratia Menevensi episcopo, et dilectis et fidelibus suis Reginaldo de Grey et Waltero de Hopton, salutem. Sciatis quod assignavimus vos ad certificationem et aprisam faciendam per gentes Anglicas et Walensicas non suspectas, per quas rei veritas melius sciri poterit, per quas leges et per quas consuetudines antecessores nostri Reges regere et deducere consueverant Principem Wallie et Barones Walenses Wallie, et Barones Walenses Wallie et pares suos, et alios inferiores et eorum pares, et de circumstanciis hujusmodi leges et consuetudines contingentibus. Et idcirco vobis mandamus quod ad certos dies et loca, quos ad hoc provideritis, premissa faciatis in forma predicta, et nos certificatione et aprisa de circumstanciis earundem distincte et aperte factis et examinatis, ad plenum reddatis certiores a die Paschatis in tres septimanas. Mandavimus enim justiciariis, vicecomitibus et omnibus ballivis et fidelibus ac ministris nostris Wallie, quod ad certos dies et loca, quos eis scire facietis, venire faciant coram vobis tot et tales tam Anglicos quam Walenses per quos rei veritas melius sciri poterit in premissis, et quod vobis ad premissa omnia facienda sint intendentes, consulentes et auxiliantes, prout vos eis scire facietis exparte nostra. In cujus rei testimonium has literas nostras fieri fecimus patentes. Teste meipso apud Westmonasterium iiii. die Decembris, anno regni nostri nono."

Then follows the royal mandate to all justices, sheriffs, bailiffs, &c., to be aiding, consulting and assisting the commissioners in the premises, and a schedule, of 14 heads of interrogation, for their guidance.

In the statute passed in pursuance of the report made under that commission, the prior title to the feudal superiority of the crown of England over Wales and its inhabitants is expressly asserted in the preamble.

Preamble to the Statute of Rhuddlan.

9. This is to the following effect:

" Edwardus Dei gratia Rex Anglie, Dominus Hibernie, et Dux Aquitanie, omnibus fidelibus suis de terra sua Snaudon. et de aliis terris suis in Wallia, salutem in Domino.

" Divina Providentia que in sui dispositione non fallitur, inter alia dispensationis sue munera quibus nos et regnum nostrum Anglie decorare dignata est, terram Wallie cum incolis suis, prius nobis jure feodali subjectam, jam sui gratia in proprietatis nostre dominium, obstaculis quibuscunque cessantibus, totaliter et cum integritate convertit, et corone regni predicti tanquam partem corporis ejusdem annexuit et univit. Nos itaque nutu divino volentes predictam terram nostram Snaudon. et alias terras nostras in partibus illis, sicut et cæteras ditioni nostre subjectas, ad honorem et laudem Dei et ecclesiæ sancte, ac zelum justicie sub debito regimine gubernari, et incolas seu habitatores terrarum illarum, qui alto et basso se submiserunt voluntati nostre, et quos sic ad nostram recepimus voluntatem, certis legibus et consuetudinibus sub tranquillitate et pace nostra tractari, leges et consuetudines parcium illarum hactenus usitatas coram nobis et proceribus regni nostri fecimus recitari; quibus diligenter auditis et plenius intellectis, quasdam ipsarum, de consilio procerum predictorum, delevimus; quasdam permisimus, et quasdam correximus, et etiam quasdam alias adjiciendas et statuendas decrevimus, et eas de cetero in terris nostris in partibus illis perpetuâ firmitate teneri et observari volumus in formâ prescriptâ."

Title.

10. Consistently with the charters, the title of the corporation would be, " The Mayor, Bailiffs and Burgesses of the Borough of Rothelan;" but no document, referring to any title, or showing the existence of any corporate seal, was produced; and it was stated that no tradition of such title exists, nor of a seal.

Officers. Bailiffs.

11. The two bailiffs, as already stated, are the only subsisting officers of the corporation of Rhuddlan. The charter of Edward I. provides, that " the constable of the castle of Rothelan for the time being shall be mayor of that borough, sworn as well to us as to the same burgesses, who, having first taken his oath for preserving our rights, shall swear to the same burgesses, upon the holy gospels of God, that he will preserve the liberties to the same bur-

RHUDDLAN.

gesses by us granted, and do faithfully those things which belong to the office of mayoralty in the same borough."

The disuse of this office has been already noticed; but the bailiffs continue to be chosen conformably to the charter, which grants, that "the same burgesses may every year, on the feast of St. Michael, choose from themselves, and present to the said constable, as their mayor, two fit and sufficient bailiffs, who, in the presence of the said mayor and burgesses, shall swear that they will faithfully do and perform the office of their bailiwick."

The present bailiffs, John and Edward Parry, are father and son; the father above 80 years of age, and too infirm to leave his house; he has been bailiff for about 40 years in succession, and the son for five years; the latter succeeded a person who held the office 25 or 30 years.

Bailiffs, functions of.

12. They perform no magisterial functions, nor indeed have any duties, except to present nuisances at the court leet, and to collect waifs and strays; they do not interfere in proclaiming the election of members to serve in Parliament. The ordinary practice on that occasion is for the bailiffs of Flint to send their constable with the precept, who posts it at the door of the principal inn, the usual place for publishing all notices and proclamations within the borough.

They have no salaries or emoluments whatever.

Constables.

13. Two Constables are also appointed annually by the jury at the leet; the same frequently serve for several years in succession; they have each 1*l.* a year, a salary allowed them by the lady of the manor.

Freedom.

14. Here, as in the other contributory boroughs to Flint, the franchise is exercised by all resident inhabitants paying scot and bearing lot within the borough.

The privileges conceded to the burgesses in early times have been already noticed to a considerable extent. The most important among those conferred by the charter are conveyed in the following terms: "That they may have a merchant's guild, with a hanse, and other customs and liberties to that guild belonging, so that no one who is not of that guild may trade in the same town, except at the will of the aforesaid burgesses. * * Moreover, we grant to our same burgesses, that they may have soc and sac, toll and theam, and infangenetheof, and that they may be quit, throughout our whole land, of toll, lastage, passage, murage, pontage and stallage, and of lene damegeld and gaywite, and all other customs and exactions, throughout our whole dominion, as well of England as in all other our lands."

The charter of Edward I. contains also the usual grant to all his Welsh boroughs, "that all lands now assigned to the same borough be altogether de-warrened and de-afforested, and that Jews may not remain at any time in the same borough."

In the present condition, however, of the borough, the privileges of the burgesses are practically reduced to the exercise of the franchise of returning Members to serve in Parliament.

The number of electors registered in 1832, under the Reform Act, was 169.

Ruling Body, how elected.

15. As far as any Ruling Body, or corporation, can be said to subsist in a borough thus circumstanced, the lady of the manor must be considered to elect that body; for the steward of the court leet is appointed by her during pleasure; and he gives the constable a list of the persons who are to serve on the jury, by whom the two bailiffs, the only subsisting officers of the corporation, are chosen.

Fees.

16. No Fees are paid on admission to freedom, if there be in fact any formal admission, nor to office.

Courts.

17. The charter ordains "that no one of our sheriffs in any thing intromit upon the burgesses concerning any plea or plaint or impediment, or any other thing relating to the aforesaid town, saving nevertheless to us and our heirs, pleas of our crown as is aforesaid;" and further, "that they or their goods wheresoever found in our land or dominion, shall not be arrested for any debt, of which they are not the sureties or principal debtors, unless by chance the same debtors be of their community, and power having whereby they can satisfy their debts in whole or in part, and unless our said burgesses shall have been wanting in justice to the creditors of the same debtors, and of this it can reasonably be shown; and that our same burgesses shall not, for the offence or forfeiture of their servants, lose their own goods and chattels found in the hands of them, or any where deposited by those servants, so as they can sufficiently prove them to be their own."

All vestiges of the judicial proceedings, anciently had within the borough, have disappeared. The only court now held there is that of the leet, and the only business transacted at it consists in the election of the bailiffs, the appointment of constables, and the presentment of nuisances; small fines being occasionally imposed and levied on such presentments.

Juries.

18. Previous to the holding of the court on the charter day (the Feast of St. Michael), the stewards of the lordship (who are at present Messrs. Edward and Walter Wyatt, attornies of St. Asaph) furnish the constables with a list of the persons whom they are to summon on the jury. Twelve of the inhabitants are summoned, and that number regularly attend; they have a dinner provided at the expense of the lady of the manor.

Police.

19. The two constables constitute the whole police of the town. They are represented as hardly sufficient to preserve the peace of the borough, especially at the fairs, which are holden four times during the year. No magistrate of the county resides within the borough: Lord Mostyn, Sir John Williams and Sir Henry Browne are the nearest justices, they reside at no great distance.

No variation from the ordinary mode of maintaining and regulating the poor by overseers takes place here.

20. A lock-up

RHUDDLAN.

20. A lock-up house, built at the expense of the county about eight years ago, is the only place of confinement for offenders now within the borough. Gaol.

Of the criminal jurisdiction granted by Edward I. to the burgesses, nothing at the present day is remaining.

21. No other Fines than those upon presentments for nuisances are imposed within the borough. Fines.

22. The provision contained in the charter of Edward I. "that all lands now assigned to the same borough be altogether de-warrened and de-afforrested," has already been noticed (s. 14.) Property.

It is not easy at the present day, and under the totally altered circumstances of the Welsh boroughs, to ascertain or define the precise extent of the legal rights of the burgesses under their several grants and charters; nor can the mode in which those rights have been exercised in recent times be accommodated in all cases to the existing interpretation of the law upon the subject of rights of common.

23. Certain it is, however, that in Rhuddlan, as in many of the boroughs throughout the principality, the burgesses had, in point of fact, enjoyed very important rights of that nature previously to the passing of the Inclosure Acts hereinafter mentioned. Rights of Common.

It was alleged that the resident burgesses at large had immemorially used to turn their cattle and sheep upon all the wastes within the borough; that several had as many as 50 sheep going upon the common; that one Evan Jones turned on about 100; they were kept on all the winter, and could live on the common all the year without hay; that their horses, cows and geese went on also uninterruptedly; that this privilege was exercised by them whether they held inclosed lands for wintering the cattle or not (though of course more largely where they did); and that the burgesses at large used to join in paying a shepherd, one John Griffiths, for tending their sheep and cattle on the commons and waste lands, parts of which were of excellent quality, and furnished very valuable pasturage.

These rights would seem at least to have been worthy of some recognition in the Inclosure Acts. Not only, however, was no allotment or compensation whatever made to the burgesses of Rhuddlan, in respect of any right of common exercised, or interest in the soil claimed, antecedently by them; but the Inclosure Acts do not notice in any shape the existence of any such right or interest.

The allotments were made altogether to the land-owners within the manor, and to certain trustees appointed under the provisions of the Acts of Parliament for the purposes therein mentioned; and of these it was stated that none were resident in that neighbourhood except the Dean of St. Asaph and the landowners, about six or seven in number.

24. These Acts of Parliament provide as follows:— Acts of Parliament for embanking and inclosing.

The statute 34 Geo. III. c. 90, intituled, "An Act for embanking and otherwise fencing from the sea the lands on the sea coasts of the parish of Abergele, in the county of Denbigh, and Rhyddlan Marsh, in the several parishes of Abergele aforesaid, and of St. Asaph and Rhyddlan, in the county of Flint, and sundry other marshes, commons and waste lands in the said parish of Rhyddlan, and in the several parishes of Diserth and Meliden, in the said county of Flint; and to cut and make in or through the same, or some part thereof, one or more aqueducts or other watercourses and drains; and to inclose, divide and sell competent parts of the said several marshes, commons and waste lands, to defray the expenses of the said works, and to raise a fund for the future repairs and preservation thereof," enacts (amongst other things) that the sea coasts and common forelands, common marshes and waste lands upon or near to the sea coasts, and upon the banks of the river Clwyd Voryd and port river of Rhyddlan, in the said several parishes and franchise, in the said counties of Denbigh and Flint, should be, and the same were thereby vested in and placed under the management, control and government of certain trustees and their successors, in and by the same Act nominated and constituted; and it further enacts, that for raising a fund for the several specified purposes of the Act, the trustees should be empowered, from time to time, and by such ways and means as they should judge expedient, to inclose, sever and divide, and to sell, dispose of and convey such respective parts, and so much of the several common marshes and waste low lands aforesaid, not exceeding 300 acres of statute measure on the west side of the said river Clwyd Voryd and port river of Rhyddlan, and 200 acres of statute measure on the east side thereof, as should be found sufficient for all the purposes aforesaid.

The statute 53 Geo. III. c. 121, intituled, "An Act to enlarge the powers of an Act of his present Majesty, for embanking, draining and inclosing lands in the parishes of Abergele, St. Asaph, Rhydlan, Diserth and Meliden, and the franchise of Rhydlan, in the counties of Denbigh and Flint," after reciting the above Act, and that the trustees had inclosed and sold the whole of the 300 acres on the west side, and 156 out of the 200 acres on the east side, but that the whole amount received from such sales, together with any further money which might arise from the sale of the remaining 44 acres, would be insufficient to complete the works; and reciting also the Inclosure Act 47 Geo. III. c. 62, intituled, "An Act for inclosing lands in the parishes of Rhûddlan, St. Asaph, Diserth and Cwm, in the county of Flint" (hereafter mentioned); proceeds to grant new and additional powers to the same trustees originally appointed under 34 Geo. III. c. 90.

25. The statute 47 Geo. III. c. 62, s. 1. after reciting as follows:—[Whereas there are within a certain district commonly called or known by the name of the franchise of Rhûddlan, in the several Inclosure Act.

RHUDDLAN.

several parishes of Rhûddlan, Saint Asaph, Diserth and Cwm, or elsewhere in the county of Flint, certain common marshes, waste low lands, and other commons and waste lands, containing in the whole by reputation, one thousand two hundred acres, or thereabout: And whereas the King's most Excellent Majesty, in right of his Crown, is lord of the manor of Flint, and of the comots of Coleshill, Ruthland and Prestattin within the same, in the county aforesaid, and in respect of the said manor and comots, or some or one of them, claims to be owner of the soil of the said common marshes, waste low lands, and other commons and waste lands: And whereas Catharine Stapleton, spinster, Watkin Williams, esq. and Elizabeth his wife, the very Reverend Davies Shipley, clerk, Dean of Saint Asaph, and Barbara Yonge, spinster, claim to be lords and ladies of the manor and franchise of Rhûddlan aforesaid, and owners of the soil of so much of the said common marshes, waste low lands, and other commons and waste lands as lie within the said manor and franchise, and have also immemorially kept courts leet, taken waifs and estrays, and exercised other accustomed manorial rights and privileges within and upon the same: And whereas Robert Maurice, clerk, is vicar of the vicarage of Rhûddlan aforesaid, and as such is entitled to certain glebe lands within the said district or franchise: And whereas the said Catherine Stapleton, Watkin Williams, and Elizabeth his wife, the said William Davies Shipley, and Barbara Yonge, and also the Right honourable Other Archer, Earl of Plymouth, Sir Edward Pryce Lloyd, baronet, Edward Hughes, clerk, Bryan Cook, esquire, and Frances his wife, John Davies, John Wynne Griffith, Lewis Hughes, esquires, Robert Owen, gentleman, and divers other persons are proprietors of messuages, tenements or lands within the said district or franchise, and are entitled in respect thereof to right of common over and upon the said common marshes, waste low lands and other commons and waste lands within the same, in proportion to their several and respective estates within the said district or franchise: And whereas divers persons, proprietors of messuages, tenements or lands within the said parish of Saint Asaph, claim to be entitled in respect thereof, to a right of common over and upon such of the said common marshes, waste low lands and other commons and waste lands as lie within the said parish of Saint Asaph]; and reciting the General Inclosure Act; and that it would be not only advantageous to the several persons interested therein, but of great public utility, if the said common marshes, waste low lands and other commons and waste lands were divided and allotted to the respective proprietors thereof and persons interested therein as aforesaid; proceeds to enact, "that all the said common marshes, waste low lands and other commons and waste lands lying and being within the said district commonly called or known by the name of the Franchise of Rhûddlan, shall be divided, allotted and inclosed by John Matthews of Plâs-yn-Llysfaen, in the county of Caernarvon, gentleman," who was thereby appointed a commissioner for that purpose.

It is true that, by s. 8, any person interested, or claiming to be interested, in the said intended division and inclosure, who should be dissatisfied with the determination of the commissioner, is allowed to try his right, upon a feigned issue, at law. But by s. 18, the commissioner is only empowered to make allotments to parties in respect of rights of common, "rateably and in due proportion (quantity, quality and situation considered) to the value of their respective messuages, tenements, lands and hereditaments, in respect whereof they are severally entitled to such right of common as aforesaid."

Patronage.

26. The corporation have no Patronage whatever. The lady of the manor has the great tithes. The vicarage is said to be worth about 250*l.* a year; a new vicarage house has been built, with the aid of the bounty; and the vicar lets the old one; about eight acres of the commons were allotted to the vicar.

Acts.

27. There is no local Act, except the Embankment and Inclosure Acts above referred to.

General State and Prospects: Commerce.

28. The trade of the port is represented to have increased materially, in consequence of the taking off the duty on coals.

The river Clywd Voryd is navigable at spring tides for vessels of 70 or 80 tons, as high as Rhuddlan; and from seven to nine vessels, ordinarily, come in with spring tides; considerable improvement might be made, by means of a cut, in the navigation of the river, but the present traffic would not justify the expense.

The lead mines to the east of Rhuddlan are still worked to a large extent, and employ about 300 workmen; it is said at a loss, but the trade has somewhat improved of late.

There is a large export of corn; timber and bark were formerly a great source of traffic; but this has recently much declined. A market was held on Saturday, but it ceased about 15 years ago.

Agriculture.

29. Lime of good quality is obtained on reasonable terms, and is largely used in this district for agricultural purposes. One neighbouring farmer was said to have spread as much as 4,000 hobbets (or near 11,000 bushels) on his farm in one year. The consequence is, a progressive increase in the productive power of the soil.

Labouring Population.

30. The Labouring Population are abundantly employed at about 10*s.* a week.

Poor Rates.

31. The Poor Rates, however, are heavy, having been to the amount of 3*s.* 8*d.* in the pound upon the rack-rent last year. They were raised in 11 collections of 4*d.* each.

The total amount levied was about 770*l.* In 1825 the amount, as stated in the Parliamentary Returns, was 519*l.* 7*s.*; in 1829, 613*l.* 10*s.* Yet it is stated that no increase has taken place in per centage in the actual burthen. Houses are rated very low; one penny at each collection for moderate houses, and two-pence for the best.

32. No

RHUDDLAN.

32. No tolls are payable at the fairs; formerly a charge for stallage, of one penny or twopence per stand, used to be made on behalf of the lady of the manor; but even this has been remitted for some months. Tolls.

33. There are four meetings of dissenting congregations, Wesleyan and Calvinistic Methodists, Baptists and Independents. These, as well as the Established Church, are well attended; and the Dissenters for the most part occasionally attend the church also. The service is generally performed in Welsh, but occasionally in English. Church and Dissenting Meetings.

34. There is a school for 60 girls, and a national school, which has about 50 boys and girls; both are supported by subscriptions from the lady of the manor and Lord Mostyn. All can read Welsh or English, except a few old persons; and all can speak English. School.

The younger part of the inhabitants are mostly educated to read and speak English.

London, 12th February 1834. *Geo. Hutton Wilkinson.*

I send with this Report the Documents marked:

List of Documents.

A. Copy of the translation of the charter of Rhyddlan, 3d June, 2d Ric. II.

B. Inclosure Act, 47 Geo. III. c. 6.

C. Statute 53 Geo. III. c. 121.

Statute 34 Geo. III. c. 90, is wanting.

REPORT

ON

THE BOROUGH OF RUTHIN.

(DENBIGH.)

CONTENTS.

	Page
I. Local Limits: By Charter	2847
By Usage	2847
II. Charters	2847
Of Henry VII.	2847
Entry respecting, in Corporation Books	2847
Letter of King James	2848
Governing Charter	2848
III. Title	2848
Seals	2848
IV. Officers of Lordship: Steward	2848
Deputy Steward	2848
Recorder	2849
of Borough: Aldermen	2849
Functions of	2849
Proceedings against	2849
Salary	2849
Common Council	2849
Town Serjeants	2849
Leave Lookers	2850
Town Crier and Constables	2850
V. Freedom	2850
Freemen: Duties and Privileges	2850
Emoluments	2850
Numbers	2850
List in Charter of	2850
Earl of Kent	2850
VI. Ruling Body, how elected	2850
VII. Fees on Admission	2850
VIII. Court, Criminal and Civil	2851
IX. Juries	2851
X. Local Police	2851
XI. Gaols	2851
XII. Fines	2851
XIII. Property	2851
Contributions	2852
Lands	2852
Weighing Machine	2852
Tolls, and Complaint respecting	2852
Markets and Fairs	2852
Litigation	2852
Debt	2852
Funds, by whom accounted for	2853
Inspection of Accounts	2853
Grant of Lordship	2853
XIV. Patronage	2853
XV. Local Acts of Parliament	2853
XVI. General State and Prospects	2853
Agriculture	2853
Churches	2853
Schools	2853
Dissenting Congregations	2854
Calvinistic Methodists	2854
Baptists, Wesleyans, Independents and Quakers	2854
Poor-rates	2854
State of Poor	2854
Wages of Labour	2854
Public Houses and Beer Houses	2854
Concurrent Jurisdiction of Magistrates for County	2854
Incorporated Trades	2855
Cordwainer's Company: Charter	2855
Fees on Admission	2855
Property, Toll	2855
Fines in restraint of Trade	2855
List of Documents	2856

BOROUGH OF RUTHIN.

1. THE local limits of the borough of Ruthin, like those of Denbigh, to which it is contributory in the return of Members to serve in Parliament, are prescribed by its charter. The charter of 23 Henry VII. declares, "quod villa n... Ruthyn in dnis prædict., et dimidia leuca in circuitu ejusdem villæ, liber burgus sit, et quod omnes homines et tenentes, hæredes et successores sui, eandem villam inhabitantes, et imposterum inhitatur liberi burgenses sint, prout burgenses villæ nostræ de Denbygh sunt, ita quod nullus sit Burgens. aut reputati ut Burgens, nisi electus seu evocatus fuerit per commun. Burgens., villæ prædictæ, et finem cum eis fecerit." I. Local Limits by Charter.

2. The actual extent of the borough, as perambulated of late years, corresponds very nearly with the description in the charter, being about the space comprehended in a circle, having the centre of the town for its centre, and a radius of half a league. By Usage.

In the year 1816, a perambulation of the borough took place, when the testimony of the oldest witnesses as to the general reputation on the subject, and other evidence, was procured; stones were placed wherever needed, which remain at the present day; nor has there ever been any dispute or litigation respecting the local limits.

These limits are said by prescription to comprise the whole of the parish of Ruthin, and part of that of Llanfwrog, the hamlet of Llanrhydd Issaf, in the parish of Llandrhydd, and part of the parishes of Llanywys and Llanfair Dyffryn Clwyd.

There are now four districts, which 190 years ago were called wards, within the borough, viz. Castle-street, Clwyd-street, Murog-street and Well-street.

3. The corporation of Ruthin is said to be a corporation by prescription; the earliest charter known at the present day, by which it is constituted in express terms a free borough, is one of Reginald de Grey, lord of Wayford and of Ruthin, dated 27th September, 18 Richard II., being an *Inspeximus* of a charter granted by "Reginald de Grey, his great-grandfather's father, of famous memory, formerly lord of Dyffryn Clwyd, to all his men and tenants of the vill of Ruthin." These charters of the two Reginalds, together with one of Edmond Grey, lord of Hastings, Weyford and Ruthin, dated 11th January, 20 Henry VI., are inspected and set out in a charter of George Grey, Earl of Kent, Lord of Hastings, Weyford and Ruthin, dated 28th July, 11 Henry VII. An examined copy of this charter, certified by Robert Owen, and "enrolled before Wm. Hill, auditor," was produced from among the muniments of the lordship of Ruthin. A translation of this and of the charter of 23 Henry VII. was lately made, under the direction of the town clerk of Ruthin, by Mr. Hewlett, who searched every record office in London for charters relating to this borough, but could find only the inrollment of the charter of 23 Henry VII. II. Charters.

4. An examined copy of the inrollment of this charter by the Clerk of the Rolls was produced. Charters of Henry VII.

This charter, although it constitutes Ruthin a free borough, assigning to its free burgesses the limits above mentioned, does not notice the charter of the Earl of Kent, granted 12 years before, or any antecedent charter whatsoever; and it is remarkable that it speaks of them as "tenants and inhabitants of the Lordship only," until it arrives at that point at which they are created free burgesses in and by the charter itself of Henry.

The right, however, of the lord marchers of Wales to exercise *jura regalia* within their marches, is not disputed: and the lordship of Ruthin is stated (Pennant's Wales, II. 188) to have been founded out of the ancient 'cantred' of Dyffryn Clywd, which was granted by Edward I. in the 10th year of his reign, to Reginald de Grey, then justice of Chester, and one of the lords marchers of Wales, and for which he in 1301 did homage at Chester, to Edward of Caernarvon, then Prince of Wales.

5. It would appear, from an ancient entry in the corporation books, that a prior charter of the same king had been granted to Ruthin, and was among the muniments of the corporation. Entry in Corporation Books.

This entry is headed "Ruthin 1648," and after setting out the names of the two aldermen and 16 town councilmen, it proceeds to give "A true account of Robert Salusbury and Roger Evans (aldermen) of all the charters" belonging "to the borough of Ruthin."

"First, of the charters, &c.

"One charter granted by his Highness King Henry VII., bearing date and attested under his own hands at Westminster the 1st day of May in the 23d year of his reign."

"One other charter granted by his Highness King Henry VII., bearing date and attested under his hand, with authority of Parliament, the 1st day of May in the twentieth year of his reign."

RUTHIN.

"One grant or charter of Reginald Graye, bearing date and attested under his hand and seale at Ruthin the 27th day of September, the 18th year of the reign of his Highness Richard the II. *post conquestum.*

"One grant or charter from Edmund Graye, bearing date and attested under his hand and seal at Ruthin the 11th of January, 20th Henry VI. *post conquest.*

"One grant or charter from George Graye, bearing date and attested under his hand and seal at Ruthin, the 28th day of July, 11th Henry VI."

"A decree in Chancery granted by his Highness King James, bearing date and attested at Westminster under his hand and seal the 21st day of May, 2d James I.

"One letter by King James directed to the aldermen of the town and liberties of Ruthin, to confirm all former charters and power in the aldermen, bearing date at Greenwich 14 June, 4th James I.

Several other documents are enumerated, but these are the only instruments, of which the originals or copies were produced.

Letter of King James.

6. The original letter of King James, under the sign manual, last referred to in the above entry, was produced; and a copy of it collated with the original accompanies this Report. It seems to have been held in estimation by the corporation; for receipts have been taken from time to time, by the aldermen from their successors, for this, among other documents; thus, on the 14th August 1647, there is this entry: "Received by us the aldermen of the towne of Rythin and liberties thereof, two decrees from his Highness King James to confirm the former charters, and one petition directed by the aldermen and burgesses of the town of Rythin to the honourable the Countess of Warwick, and two charters from his Highness King Henry VII."

These entries are referred to both as proving their former possession of the original charters and tending to throw some light on the incorporation of the borough of Ruthin, which, like many of the Welch boroughs, does not appear to have been incorporated under any specific title, created or even recognized by those charters.

A great number of other entries, besides those of 1647–8, are found in the books, referring to the same charters there enumerated, and none are found referring to any other charter.

Governing Charter.

Under these circumstances, the charter of 1st May, 23d Henry VII., must be considered the governing charter of the borough.

III. Title.

7. In petitions and documents bearing date at the commencement of last century and downwards, the style used by the corporation has been "The Aldermen and Corporation of Ruthin;" and "the Aldermen of the Town and Borough of Ruthin," have always been called over in the roll of magistrates at the great sessions formerly, and now at the assizes and quarter sessions.

Seals.

The modern seal of the corporation, made in 1810, bears an inscription, in which the style of the corporation is the same as before mentioned. An ancient seal has evidently been in use formerly, as appears from certain original letters in the custody of the lady of the manor, and bearing date about the year 1712, which were produced from among the muniments of the lordship.

IV. Officers.

8. The Officers of the corporation are,—

Aldermen	2
Common or Town Council, or Capital Men	16
Serjeants	4
Leave Lookers	2
Town Crier	1
Constables	4

Before any account is given of these officers, it may be convenient to give some account (furnished by the present deputy steward) of the officers of the lordship.

These are, Steward	1
Recorder	1

Lordship.

9. The lordship (then called a "cantred") was granted by Edward I. to Reginald de Grey, by whom, and his descendants, it was held for a long period of years. In the reign of Henry VII. it became vested, by purchase from Richard Earl of Kent, in the Crown, and so continued during the latter part of the reign of Henry VII. and until 6th Henry VIII., when it was settled upon the Duke of Richmond; on his death, it reverted to the Crown, and continued vested therein throughout the reign of Edward VI. and Mary, and until 6th Elizabeth, by whom the lordship was granted to the Earl of Warwick. In this family it continued till 1st James I., when it again reverted to and continued vested in the Crown till the reign of Charles I. By this sovereign the lordship was conveyed by letters patent, as hereinafter mentioned (s. 45), and it is now held, derivatively under this title, by Miss Myddleton of Ruthin Castle.

Steward.

10. The Steward is appointed by patent, during pleasure by the lady of the manor, with the title of Chief Steward. The present steward is Frederick Richard West, esq., a burgess of Ruthin.

His functions are, to preside in the courts leet, both of the borough and the lordship, either in person or by his deputy, whose appointment allows him to appoint a sub-deputy. The steward had formerly an allowance for life of 20*l.* a year.

Deputy Steward.

11. The present Deputy Steward, George Adams, esq., an alderman of the borough for the current year, is agent to the lady of the manor, and has been so for 12 or 13 years. His appointment

appointment is duly executed and under seal. He has a salary of 50 *l.* a year. The appointment of his sub-deputy, Mr. Samuel Edwards, solicitor, of Denbigh, is also upon stamp and under seal.

12. The Recorder of the lordship is appointed by patent, during pleasure, by the lady of the manor. The present recorder is Mr. William Cole, solicitor, Denbigh. He is clerk to the aldermen, and has been so since 1830. The recorder had formerly an allowance for life of 4 *l.* a year. Recorder.

13. The Aldermen are elected annually by a jury impannelled at the Michaelmas court leet, which is held on any day within 28 days of Michaelmas-day. Aldermen, Election of.

The court is held for the lordship of Ruthin, which comprises the borough; a separate jury is impannelled for the borough.

This usage has subsisted since living memory, and from the date of the earliest extant documents. It was stated by the deputy steward, that a majority of the common councilmen must serve on the jury, and that all must be burgesses; that the jury summoned are 23 in number, and that there must be nine common councilmen on the jury in order to make a valid election; and as it was also stated that for that purpose a majority of those *actually serving* on the jury must *be councilmen*, it would follow, of course, that when more than 17 jurymen appeared there must be more than nine councilmen on the jury, otherwise no election of corporate officers could take place.

But it was afterwards admitted by the deputy steward, that, in thus stating the right of election, he represented rather what had been the practice since he came into office, than any municipal regulation founded on ancient usage; and he took credit for the abstinence of the lady of the manor in causing so few of the council to be impannelled on the jury.

The subject will be resumed on discussing the constitution of the ruling body.

The bailiffs summon on the jury the whole body of common councilmen, and a majority has, in fact, always attended.

The election is for the ensuing year, but in practice the same are frequently re-elected in successive years. The present deputy steward himself served the office of alderman during four successive years.

14. By usage alone, for the charters are silent on the subject, the Aldermen act as justices of the peace for the borough, holding, however, no general or quarter sessions, but petty sessions only; nor has their right even to this exercise of the magisterial office been undisputed. Aldermen, Functions of.

The county justices (who are admitted to have concurrent jurisdiction within the borough) denied the right of the aldermen; and took proceedings against them in 1712 to try that right. A verdict with nominal damages passed against the corporate officers, but it is stated to have gone upon a point of form, and that the powers of the aldermen to act as justices were recognized by the judge on the trial. The case however is not reported. An entry appears in the corporation books, dated 5th November 1712, ordering payment by the burgesses, on pain of disfranchisement, of the costs incurred on the trial of this matter; and reciting the facts and ground of the verdict. Proceedings against Aldermen.

Other actions have been threatened against the aldermen on the same ground, but none actually prosecuted. There can be no doubt, however, that some magisterial functions were exercised (and it should seem exclusively) by the aldermen in 1606, when the letter of King James recognized those functions in these words: "Ye and *no other* take upon ye the governance and ordering of all matters that concern the peace and good ruling of our subjects the burgesses and inhabitants of Ruthin, and of all causes happening within the same, being of such kind as wherein ye have *heretofore used to deal* agreeable to your privileges." And although there has been no disposition to exclude the concurrent jurisdiction of the county justices, they have never in living memory been called upon to act within the borough till within the last 12 months, except for the removal of paupers.

15. The aldermen have no salaries or emoluments whatsoever. Aldermen, Salary of.

16. The common council are elected by the aldermen. Immediately after the election of aldermen, they retire and agree upon their own common council, and the same 16 (as might be expected under this system) are usually re-appointed. Common Council, Election of.

In practice, vacancies are stated never to be filled up till the court-leet day; and it is understood that by the constitution of the corporation no valid election can lawfully be made except on the court day.

But it appears from an entry dated 16th August 1826, that upon the death of one of the council, Butler Clough, about that period, the name of a new councilman, John Fay, was entered in his stead upon the books, and that the councilman thus substituted continued to act till the court day, when his regular appointment was made.

17. The council form the requisite majority on the leet jury for the election of aldermen and other officers, and exercise a control over the distribution of the corporate funds. Functions.

18. They have no salaries or emoluments. Salaries.

19. The Serjeants are nominated for a year by the aldermen and common council at the court leet. New ones are generally, but not always, put in office. Their functions are, to attend upon the aldermen, especially for the preservation of the peace, in which duty they were described as constituting the body guard of the corporation. Town Serjeants.

RUTHIN.

For a period of 192 years, and until within the last two years, they used to be provided with clothes out of the corporate funds. That expense no longer is borne by the corporation.

Leave Lookers.

20. The Leave Lookers are appointed by the borough jury at the leet for a year, and until others be sworn in their stead.

Their functions are, to examine the weights and measures, and search the provisions, the alderman furnishing them with the assize of bread. They have no emoluments.

Town Crier and Constables.

21. The Town Crier and Constables are appointed by the aldermen and common council for a year, and until others be sworn in their stead. One constable is appointed to each of the four districts, anciently called wards.

The crier, beside the ordinary functions of his office, exercises the duties of a peace officer; and as keeper of the Lordship Gaol has a salary of 3*l.* a year, recently reduced from 5*l.*

He has also small fees on making proclamations.

V. Freedom.

22. By immemorial custom, the burgesses are put in nomination at a meeting of the aldermen and council; and the two aldermen, and a majority of the common councilmen, must consent to the election.

Any common councilman may call a meeting, upon which a summons for holding it issues. It is an open court, at which sometimes 200 persons have been present.

The burgesses, when admitted, swear to bear scot and lot in all lawful taxations and assessments whatever with their fellow burgesses.

Duties of Freemen.

23. Their duties are to serve on juries at the borough court-leet and to serve the municipal offices when duly "called" and elected thereto.

Privileges

24. Beside the privilege, which they acquire when sworn in, of voting in the election of Members to serve in Parliament for Denbigh and the contributory boroughs of Ruthin and Holt, the burgesses are exempt from heriots and from toll both at Ruthin and Denbigh. The exemption from heriots, however, is not absolute; a composition of 1*s.* in lieu thereof being payable on the death of each burgess.

Emoluments.

25. The burgesses formerly exercised a right of common on the wastes within the borough, which were enclosed under an Act of Parliament passed in the year 1800. An allotment in lieu of this right was made to them. (*See* Sect. 37.) They have no other emoluments.

Numbers.

26. The Number of resident burgesses is 282. Non-residents, 36.

The last occasion on which any creation of burgesses took place was in 1826. On the 6th of October in that year 21 were elected, and within a space of three months from that time above 90 were made. The mode of election prevailing in practice is obviously at variance with the provisions of the charter of Henry VII. set out in Sect. 1 of this Report.

In Charter of Earl of Kent.

27. In the Charter of George Grey, Earl of Kent, above mentioned, a list of the burgesses, then his men and tenants of his vill at Ruthin, is specified.

The number of burgesses, according to that list, (if a stranger to the language may venture to distinguish individual names in such a roll) would appear to have been 85.

VI. Ruling Body, how elected.

28. When the mode of election of the aldermen and council of Ruthin, and the nomination of the freemen, are considered, the result of such a system in practice could hardly be doubtful.

But the matter was not left to mere inference.

It was in evidence, and was indeed frankly admitted by the deputy steward, that, upon impannelling the jury at the borough court-leet, it is the uniform practice for some agent of the lady of the manor to address a letter, which is delivered to the foreman of the jury in their retiring room, recommending two persons as aldermen, who are invariably elected.

It was also in evidence, and equally admitted, that none are recommended except those who are politically in the interests of the lady of the manor.

And it was stated, without refutation, that the common council is entirely and uniformly composed of persons in the same interest.

The party history of the borough at the present day, was thus stated. Previous to 1819, the Biddulph party were the prevailing power. Upon the division of the Chirk Castle estate in that year, the interest of the present lady of the manor predominated, and the common council was changed forthwith.

The lady of the manor thereupon appointed Mr. Humphreys Jones, her own attorney, chief steward of the court. Afterwards her nephew, Frederick Richard West, esq., succeeded to the office. Mr. George Adams, her agent, was appointed deputy steward, and his sub-deputy, Mr. Samuel Edwards, is her present attorney.

As a part of this system, it was proved that in many instances the duty and fees payable on the admission of burgesses to their freedom had been defrayed by the lady of the manor; and that the uncontrolled power of impannelling the jury was left to her agent, the deputy steward, who selected whomsoever he pleased. The only answer furnished by the deputy steward to this statement, was that he had taken for his guide the usage of the place as pursued by his predecessors, without reference to the charters, which had only of late years come in any way under their discussion.

VII. Fees on Admission.

29. The only payment recently made on admission to freedom of this corporation, has been the stamp-duty; and no such fees appear to have been taken since 1692.

None of the corporate officers pay any fees on admission to their offices.

30. The

30. The court leet for presentments of nuisances, &c. is the only court of criminal jurisdiction in the borough, and this is held by the steward of the lordship; the borough jury taking cognizance of such matters arising within its precincts, and the county jury of those arising without the borough. VIII. Courts, Criminal.

The rolls of the court refer back to periods of high antiquity—certainly as far as 1245.

31. The recorder acts in the Civil Court (called the Lordship Court) under the steward, as a sort of prothonotary. With the bailiffs, he receives the fines of the courts, and he alone receives the essoigns. The court is held formally, by adjournment, every alternate Saturday; but for despatch of business, only twice a year. Civil.

The process by attachment subsisted here, as at Denbigh, before the decision of the case of Williams *v.* Lord Bagot, reported in 3 B. & C. 772; in which case the practice of the Lordship Court of Ruthin was certified by the steward of the court to the Court of King's Bench, and decided by that court to be bad in law, upon writ of error. Since that decision it has been disused; but the process by summons continues. No suit, however, for recovery of a debt above 40 *s.* has been instituted since that decision; nor has there been any jury trial since September 1822. Five executions only, all of which were on judgments by default, have been levied since that time.

The pleadings in suits for above 40 *s.* were always in writing. Below that sum, either written or *ore tenus*, at the option of the plaintiff. A table of fees is sent with this report.

The costs of recovering, upon judgment by default, a sum not exceeding 10*s.* 6*d.* amount to - - - - - - - - - - - £.1 4 –

Above that sum and under 40*s.* to - - - - - - - -	1	8	–
Upon summons only, not exceeding 10*s.* 6*d.* to - - - - - -	–	3	–
Above that sum and under 40*s.* to - - - - - - - -	–	4	6

The practice was considerable in this court, previous to the decision of Williams *v.* Lord Bagot, and in one case where a sum of 3,406*l.* 18*s.* was recovered, the costs amounted only to 6*l.* 18*s.* In a period of about four years, 80 plaints were levied; but very few were brought to trial.

32. The recorder selects from the common burgesses those who, together with nine at least of the capital burgesses, are to make up a jury. The crier generally, but sometimes the recorder himself, summons them to serve on the jury. IX. Juries.

No difficulty is found in collecting a competent jury; a small fee is payable on the trial of each cause. There are above 100 persons qualified to serve on the leet jury within the borough, and the office is rather sought after.

33. The Local Police consists of the crier, four serjeants and four constables, together with three lordship bailiffs, who are appointed by the steward at the leet court, but sworn in by the aldermen. These have been found sufficient for the preservation of the peace in ordinary circumstances. It has only been necessary upon two occasions to swear in special constables in recent times; the last was at the general election. X. Local Police.

34. The only place of confinement for prisoners belonging to the corporation of Ruthin, is an ancient gaol, now occupied by the crier as his dwelling-house; the last person confined in it was a prisoner for debt, about 40 years ago. XI. Gaols.

The county gaol which is in Ruthin supersedes the necessity for any borough gaol; it is visited exclusively by the county justices; the aldermen in their corporate capacity take no part in its superintendence.

The Rev. Francis Owen, one of the present aldermen, has been eight years chaplain of the gaol, and takes an active part in its proper regulation. It is exceedingly cleanly, healthful and well governed; water of excellent quality is supplied for the use of the gaol, from pumps worked by means of the treadmill, which has an index contrived for showing, as well to those without the walls of the prison as within, the continuance and rate of the work performed on the treadmill. Divine service in the gaol is performed either in English or Welch, according to the language more familiar to the prisoners who happen to be in confinement; but generally in English, the majority coming from the Wrexham district.

From a case drawn about the year 1678, it appears that at that time, the aldermen were represented as having "ever had a gaol of their own, and frequently committed offenders for the breach of the peace, and did and do release them, or do bind them to the peace, and they and no others nominate and swear their own constables."

35. At the present day, no fines are imposed by the corporation; but ancient entries are found of fines for non-attendance of the corporate officers; and fines have been imposed by the cordwainers' company, of which notice is hereafter made. (sect. 57.) XII. Fines.

36. The revenue of the corporation, from 20th October 1831 to 29th October 1832, amounted to 178*l.* 4*s.* 4*d.*, and was made up as follows: XIII. Property.

	£.	s.	d.
Viz. 88 Well-wishers on charter day - - - - -	2	4	–
One year's rent of corporation lands, &c. - - - -	49	17	6
Weighing Machine - - - - - - - - -	10	–	–
Tolls - - - - - - - - - -	110	–	–
Old balance - - - - - - - - -	6	2	10
£.	178	4	4

RUTHIN.

Contributions. The first item is a mere voluntary contribution, made, according to annual custom, by several of the substantial inhabitants of the borough.

Lands. 37. The corporation lands consist chiefly of allotments to them under the Inclosure Act before mentioned. No complaint was made as to the application of those rents, nor as to the commutation of the burgesses' right of common for the allotments made under that Act.

The largest renter, Mr. John Williams, holds only to the extent of 21 *l.* a year, and has paid the same rent for many years.

The whole property is let from year to year, and without any reference to the tenants being burgesses or not.

Some cottages built upon the waste above 20 years before the Inclosure Act, have continued in the hands of the original holders at small nominal rents; but they will be advanced on the death of the present tenants.

Weighing Machine. 38. The Weighing Machine was erected by the corporation in 1828, at an expense of about 150 *l.*

It is used principally for weighing coals by any inhabitant who chooses to avail himself of it.

The charge made by the lessee is 2 *d.* per load.

It has always been let by auction; formerly for 13 *l.* The present rent, 10 *l.*, is the lowest it has produced.

Tolls. 39. Tolls are taken by the corporation upon all goods sold at the fairs and markets. Upon standings, according to their size; upon corn, a dish of three pints from every two hobbet sack (three hobbets are equal to eight bushels), and so in proportion down to half a peck; upon potatoes, a dish of three pints from one hobbet; and upon cattle and other goods the following tolls:—

Upon Cattle - - - - -	1 *d.* per head.
„ Sheep - - - - -	6 *d.* per score.
„ Pigs - - - - -	6 *d.* per cart-load, or 1 *d.* per head, if driven.
„ Butter, eggs, vegetables and chickens - - - -	1 *d.* per basket.
„ Herrings - - - -	6 *d.* per cart-load.

Complaint respecting Tolls. These tolls, from which burgesses are exempt, are the subject of great complaint with those upon whom they are levied; and are not paid without much resistance, especially the toll upon pigs, which every where in Wales appeared to be contested with singular obstinacy.

Othe tolls are taken also by the lady of the manor, one of 6 *d.* for instance, on every horse sold.

It is admitted that the tolls are over-let. The lessee is in arrear, and an allowance was to be made to him.

An actual return of 8 *l.* 6 *s.* had been made on the instalments already due from him.

Markets and Fairs. Two markets are held weekly; one on Saturday, for meat &c.; another on Monday, for corn, &c.

Five fairs are held yearly, which last two days each; and there is also the great market and the new market, equivalent to fairs.

They are always largely attended, and are considered most important to the prosperity of the town; for which reason the corporation regularly advertise them, and recognize their importance by a procession at the November fairs.

Litigation. 40. It is probable that the litigation which has unfortunately arisen within the borough of Ruthin may be traced, in some measure, to the dissatisfaction occasioned by these restraints on trade, or, at least, that this dissatisfaction has given support to the proceedings of those hostile to the corporation.

In 1832, proceedings, by *quo warranto*, were instituted against the aldermen.

On the 26th of November 1832, an entry of a resolution appears, wherein, after reciting the proceedings of Mr. Edward Jones, solicitor, against them, it is resolved "to empower the aldermen to mortgage the property, and other funds available to the corporation, for such sums as may be necessary to carry on and defend the said aldermen and corporation, and to answer the current exigencies arising from the institution of and defence to such proceedings."

And a subsequent resolution, "to apply to Mr. Edward Smart to advance 500 *l.* on the security of the corporation property, amounting to 49 *l.* 17 *s.* 6 *d.* per annum."

Some misgivings, however, seem to have ensued; for on the 19th September 1833, is an entry of a "Resolution to submit a case for the opinion of Mr. Lloyd, whether the corporate property can legally be mortgaged for the purpose of defraying the expenses incurred by the late proceedings against the aldermen and corporation."

Debt. 41. And, in point of fact, the only debt hitherto contracted by the corporation is a sum of 150 *l.*, secured upon mortgage of the tolls and their corporate property; 100 *l.* of which was advanced by the deputy steward, and 50 *l.* by another alderman, Mr. Griffith, bearing interest at the rate of five per cent.

Litigation respecting Rates. 42. Other litigation, however, is stated to have grown out of the corporation disputes, and to have caused altogether an expenditure of 800 *l.* or 900 *l.*

It

It involves a question as to the local situation of some lands, which have always been rated to Ruthin, but which, it is contended, lie within the adjoining parish of Llanrhydd.

43. The aldermen for the time being receive the rents and other income of the corporation, and have always had an exclusive control over the management of the funds. They are in the habit, however, of consulting the common council on the subject. Funds, by whom accounted for.

Previous to the year 1826, no regular accounts had been kept; indeed, for 30 years, only on four occasions had any accounts whatever been kept. But since that year, the management and expenditure of the corporation funds have been punctually recorded; and there is an entry of 26th November 1832, signed by the newly elected aldermen and 13 of the common council, expressing their entire approbation of the management of the funds by Messrs. Griffiths and Adams, the retiring aldermen.

44. The inspection, however, of the Accounts is conceded only to the common council in assembly. Application for inspection has never been made by common burgess; but if demanded as a right, it was admitted that it would assuredly be refused. If asked as a favour, the deputy steward stated that he should consult the common council, advising them to grant permission; but with a caution, that it was not claimable as a right. Inspection of Accounts.

45. The Grant of the Lordship of Ruthin, under which its present possessor derives title, was produced. It bears date the 27th November, 10th Charles I., and is by letters enrolled, and entitled, "The 35th part of the Patents of the 10th year of King Charles." Lordship, Grant of.

In consideration of 4,000*l.* paid by Sir Francis Crane, knight of the Most noble Order of the Garter and Privy Councillor, and of certain yearly rents, &c. it grants to Sir Francis and Richard Crane, esq. his brother, all the lordship of Dyffryn Clwyd, with the town of Ruthin, and all the lordships, manors, commotes, lands, tenements, rents, services and here ditaments whatsoever, called Dyffryn Clwyd, with the town of Ruthin and the towns of Ruthin, Dogerlin, Llanarthe and Coleion, lordships of Dyffryn Clwyd, with all, &c.; all and singular which premises are by a particular thereof mentioned to be of the yearly value of 243*l.* 8*s.* 2½*d.*, except the reprises, and to have been parcel of the possessions of the late Earl of Kent, and to have come to the Crown after the death of Ambrose, late Earl of Warwick, and Anne his wife, without heirs male of her body lawfully begotten. It also grants all courts and manorial rights in the amplest terms, except (*inter alia*) the Pendist, where the assizes and sessions are held. The castle of Ruthin was granted by Edward I. with the cantred of Dyffrin Clwyd, to Reginald de Gray, was surrendered in April 1646 to General Mytton, and afterwards demolished by an order of the House of Commons.

46. The aldermen of Ruthin nominate two churchwardens; and they also, in conjunction with the warden of Ruthin and the churchwardens, have the privilege of recommending persons to the president of Christ's hospital, Ruthin, (who is the Bishop of the see of Bangor) for admission to the almshouse founded by Dr. Gabriel Goodman, dean of Westminster, under letters patent of 32d Elizabeth. XIV. Patronage.

But this privilege does not extend beyond the mere right to recommend, on occurrence of vacancies; and the municipal officers have no control whatever over the charity. The objects of the charity are taken indiscriminately from the families of burgesses and others.

47. The only Local Act relating to the borough is the Inclosure Act above mentioned. XV. Local Acts.

48. The prosperity of the town depends entirely upon agriculture. It is placed in a highly fertile part of the valley of Clwyd. The neighbouring land-owners have easy access to lime and manure, and to a well-frequented market, and these advantages do not appear to have been neglected by them. XVI. General State and Prospects.

Half a century ago flax-dressing, spinning and weaving afforded occupation to many of the inhabitants; but these employments have been entirely superseded by the trade in Irish linens, so that agriculture is now the sole resource of the district.

49. There are two Churches of the Establishment, the collegiate church of St. Peter's, which is the principal, and that of Llanfwrog. Churches.

The church of Llanrhydd also is close upon (but just without) the perambulated boun dary, and is the parish church of the borough.

The Rev. Richard Newcome, M. A. of Queen's College, Cambridge, and warden of Christ's hospital in Ruthin, is the present incumbent of St. Peter's. The service at this church on Sundays, both in the morning and evening, is in English, with an intermediate lecture in Welch. On Wednesdays and Fridays service is performed alternately in Welch and English.

By immemorial usage there is an early service on Christmas-day, at six o'clock in the morning, at which the aldermen, attended by the stewards and members of the ancient company of Cordwainers, go in procession, with torches, to the church of St. Peter's.

The torches are provided by the Cordwainers' company. The service is called "Plygain" in Welch, which means the "dawning of day." In English it is generally called "Cock-crowing."

This service is performed in Welch, with a "carol" or hymn.

At Llanfwrog and Llanrhydd, the service is entirely in the Welch.

50. The principal School in Ruthin is that of Christ's Hospital: it is free to all boys born both in Ruthin and in the parish of Llanelidan, upon payment of an entrance fee of a guinea. Fifty years ago the number of scholars at Christ's Hospital was the full complement to which the statute restricts them, viz. 120. There are now only 47, of whom 22 are boarders; Schools.

RUTHIN.

the rest day-scholars; and in the whole body there are not 12 free boys. It is obvious that from some sinister cause, the inhabitants do not avail themselves of the institution to the extent that might have been expected, especially when it is considered that there are six exhibitions to the Universities; four of 25*l.* and two of 22*l.* 10*s.*

There are also national schools for boys and girls, supported by subscription, which would accommodate about 60 each; but only 40, or thereabouts, attend at each of these schools now. There are Sunday schools also; and in general the children are educated, every opportunity, and even solicitation, being offered to induce their attendance.

The English language is taught in all the schools; but the Catechism in the Welch, which is still so much the prevailing language in this district, that the presence of an interpreter is always required at the assizes.

Dissenting Congregations.

51. There are five places of worship for Dissenters within the borough. The Calvinistic Methodists, of whom there are about 160 members actually resident within the borough; but from 1,200 to 1,500 attend evening service at the chapel, from the town and neighbouring district, including about two miles around it. The chapel is calculated to hold 2,000 persons. The service is performed twice every Sunday in Welch.

Calvinistic Methodists.

They have a school, with about 300 scholars, boys and girls, and some adults. There are 46 teachers, men and women.

Baptists.

The Baptists' congregation consists of about 110 members within the borough, and 400 or 500 attending from the surrounding district. Service is performed at this chapel twice every Sunday in Welch.

They have a school, with about 200 scholars on an average, and 30 teachers, for both sexes and all ages.

Throughout Wales, the schools, as well of the Established Church as of Dissenters, are attended by adults, who are classed and taught to read.

Wesleyans.

The Wesleyan Methodists have a chapel, where from 300 to 400 may be accommodated; about 250 on an average attend, 60 of whom from within the borough. The service is commonly in Welch. They have a school for about 140 boys and girls, with 10 or 12 teachers.

Independents.

The Independents or Congregationalists have a place of worship fitted for about 500; nearly 300 attend, of whom about 70 from within the borough. Service is performed twice on every Sabbath in Welch. They have a school, at which there are on an average near 200 attendants, of whom about 30 are teachers.

Quakers.

Of the Society of Quakers, there are but three members in Ruthin.

Poor-rates.

52. The Poor-rates are levied upon a valuation, which takes for its basis one-third of the value upon houses and two-thirds upon land. In the year ending 5th April 1833, there were 11 rates at 9*d.* in the pound. Each levy produced 123*l.* 3*s.* 4¾*d.*, making a total of 1,355*l.* A sum of about 37*l.*, however, must be deducted from each rate on account of the disputed lands above mentioned, which are now said to be situate in the parish of Llanrhydd, but have always hitherto been rated to Ruthin. In Llanrhydd the poor-rates are above 30 per cent. lower than in Ruthin.

Of the above sum of 1,355*l.* levied, the amount paid towards the relief of the poor was 790*l.* 19*s.* 6*d.*; to the county rate, 72*l.*; for rents of lodgings for paupers (there being no poor-house, and the poor all relieved at their own houses), 121*l.* 2*s.*; for bastardy, 38*l.* 18*s.* 10*d.*

There has been an increase lately in the poor-rates; in the year ending April 1832, there were only nine rates of 9*d.*; the total sum levied being 1,214*l.* In the year ending April 1831, 1,233*l.* But the expenditure has not been increased from pauperism, but from the litigation before mentioned.

State of Poor.

53. The Poor are relieved by the contributions of a society of ladies, and in general they are comfortably provided for.

There is a disposition, in consequence, among the paupers themselves, (which is not discouraged by the neighbouring land-owners) to settle in the town, where there is something to be had from incidental relief; considerable funds have been left for this purpose by several charitable donors; one farm so left by Dr. Gabriel Goodman, produces 45*l.* a year; a weekly distribution of bread on Saturdays takes place out of these funds to the amount of about 25*s.*

Wages of Labour.

54. The ordinary Wages of Agricultural Labourers are 9*s.* per week; in harvest time they get from 2*s.* to 2*s.* 6*d.* per day, with their meat.

Greater difficulty has been found last year in procuring employment for able-bodied labourers than heretofore, when large improvements were in the course of being made by several neighbouring landed proprietors on their estates.

Public Houses and Beer Shops.

55. Last year there were 36 Public Houses and 10 Beer Houses licensed in Ruthin. The Beer Act is here represented as having lowered the price of malt liquor 1*d.* per quart, but deteriorated the quality.

Concurrent Jurisdiction of Magistrates for County.

56. The County Magistrates (as before stated, s. 14) claim and exercise a concurrent jurisdiction with the aldermen, within the limits of the borough, and they have always acted in the removal of paupers so far as living memory and tradition can ascertain the point. But the right of the county justices on the one hand, and of the aldermen on the other, to

exercise

exercise this power in the borough has been reciprocally denied, and the matter is still in dispute between them.

It was agreed, on all hands, to be highly desirable that the powers of the magistrates and aldermen respectively should be defined and settled, and that while the county justices should have concurrent jurisdiction within the borough, the aldermen also ought to exercise the full magisterial authority there.

Incorporated Trades.

57. It appears that formerly several companies of tradesmen were incorporated in Ruthin under charters granted to them by the lords of that town.

An entry is found in one of the books of the corporation, dated 1587, headed thus:

"The oath of a freeman taken out of the first charters granted by my Lord Graye, since confirmed by King Henry the Seventh, 1587."

And in the body of the oath thus:

* * * "but to observe and keep, to the best of your wit, all the articles written in this book, being copied out of the compossission or charters, granted by the Lords of Ruthin to this town, and the *several companies of tradesmen of this town*, and after confirmed by a charter granted this town by King Henry the Seventh, now remaining in the iron chest in our guild hall, or the town-hall of Ruthin."

Cordwainers' Company.

58. The only Company, however, subsisting at the present day, is that of the Cordwainers, of whom there are now about 30 members, with a committee consisting of two stewards, a warner, an attorney and secretary.

From the chest containing the muniments of the company, seven books were produced, and a bond, dated 15th February 1799, by which the then members of the company entered into an obligation not to employ, under a penalty of 5*l.*, any journeyman corvicers, who had not given satisfaction to their former masters.

Charter.

59. One of the books contains an entry of a petition from the company to Ambrose, Earl of Warwick, and Anne, his countess, for privileges, together with the grant of the same. The entry is without date, but would appear from the dates of admission of the "Suppliants" affixed to their names, to have been soon after 1669. It refers to a charter granted to the company in the 11th Henry VII.

The Charter, however, whatever its date or history, is not now to be found among the muniments of the company. There was positive evidence of its having been in their chest in 1819; and it appeared probable that it was there also in 1825, when instructions were given to the attorney of the company to proceed against one Edward Roberts, a cordwainer in the town, for exercising his trade without having been entered of the company, and paid his fees.

Fees on Admission.

60. The trades over which the company claims the right to rule, and does in fact exercise authority, by excluding them from carrying on their trade within the borough, unless admitted, are five in number; viz. tanners, curriers, skinners, saddlers and shoemakers: in ancient times they formed separate companies.

The Fees required on their admission to the company are as follows:

	£.	s.	d.
Shoemakers, if free-born or apprentices	1	10	–
Ditto - if foreigners	4	–	–
Curriers and Saddlers, if free-born or apprentices	–	10	–
Ditto - - - - if foreigners	1	10	–

Tanners and skinners pay no fee on admission; the present steward of the company, who was admitted in 1832, was a currier, foreign to the town, and paid the usual fee.

Property.

61. There is no hall belonging to the company, nor have they any Property. They have a small banner, a silver badge of the warner, and a pewter drinking-pot.

They collect a toll in the market-place from all foreign shoemakers.

Toll.

The warner, who gathers this toll, has rented it for about 25 years, paying the company 1*l.* 5*s.* per annum. He has a salary of 4*s.* a year as warner.

The mode of collection seems to be somewhat arbitrary. It is said to be levied according to a man's establishment and ability to pay, of which ability the warner is presumed to be a competent (as he is the sole) judge.

The standing-places in the market, from which the toll is gathered, are marked by ancient stones let into the pavement.

The residue of the 1*l.* 5*s.*, after the payment of the warner's 4*s.*, is applied to provide torches for the Plygain service on Christmas-day. (*See* s. 49.)

It did not distinctly appear to what purposes the sums raised by fees on admission were applied; but as the company meet quarterly at public-houses, preferring those of members of their own body, which they take in rotation, it might not be difficult to hazard a conjecture.

Certain it is, that these fees are not disregarded by the company; if payment is refused, legal proceedings are instantly threatened; and generally the parties submit.

Fines in restraint of Trade.

An entry of 3d February 1743 appears, whereby they agree to subscribe to "a suit of law now depending between the company and John Ellis, towards defending their ancient rites and privileges."

This entry is subscribed by 21 members. One marksman is down for 5*l.* 5*s.*, and another for 3*l.* 3*s.*

And the same system has continued to a recent period. Ellis Lloyd submitted upon notice, about 16 years ago, and Edward Roberts, of Llanfwrog, being threatened with an action in 1825, gave up his business rather than yield.

London, 3d February 1834. *Geo. H. Wilkinson.*

Documents sent with this Report:—

A. Copy Letter from King James I., dated at Westminster, 14th June 1606.

B. Copy Charter from the Earl of Kent, 11th Henry VII.

C. Copy Charter from King Henry VII., 23d of his reign.

D. Answers of Deputy-steward to Questions propounded by Commissioners.

E. Table of Costs in Lordship Court.

F. Costs on Judgment by default.

G. Muniments of Cordwainers' Company, List of.

H. References to corporation books, as to transmission of charter, &c.

I. J. Letters.

REPORT

ON

THE BOROUGH OF RUYTON,

(SALOP.)

CONTENTS.

	Page
Preliminary Remarks on its History	2858
Local Limits	2858
Charter	2858
Officers: Bailiffs	2858
Serjeant-at-Mace	2859
Freedom	2859
Court	2859
Juries	2859
Police	2859
Gaol	2859
Property: Common	2859
Patronage: Registry of Wills	2859
General State: Church and School	2860
Dissenting Congregation	2860
Labouring Classes	2860
Poor-rates	2860
Public-houses	2860
Documents	2860

BOROUGH OF RUYTON.

PRELIMINARY Remarks on its early History.

1. THE Borough of Ruyton, in the county of Salop, was anciently a parcel of the possessions of the powerful family of the Earls of Arundel in the Marches of Wales, under the designation of "Burgum de Nova Ruyton." The origin of those possessions is more particularly traced in the Report upon the Borough of Clun.

Respecting Edmund Earl of Arundel, grantor of the charter to Ruyton, hereinafter noticed, Dugdale (Bar. i. 316) gives the following information: "Which Edmund, in 34 Edw. I., having received the honor of knighthood with Prince Edward, and divers persons of note, by the solemn ceremony of bathing, &c. attended the King in his expedition at that time made into Scotland. So, likewise, in 35 Edw. I.: In 3 and 4 Edw. II. he was again in the wars of Scotland; and in 5 Edw. II. obtained the King's charter for a market every week, upon the Wednesday, at his mannor of Ruiton, in the marches of Wales, with a fair yearly, on the eve and day of the Nativity of St. John Baptist, and three days next following."

Three years prior to his obtaining this royal grant of a market and fair, it appears that he had conceded, by charter, to the burgesses of Ruyton the privileges referred to hereafter.

Local Limits.

2. There are two townships of Ruyton, the Old and the New; of which New Ruyton is strictly co-extensive, and indeed is identified with the borough.

They form a portion of an extensive manor, called the Manor of "Ruyton in the Eleven Towns," and are considered as one "Town" in forming a component part of that manor. Six of those eleven towns, or townships, are included in the parish of Ruyton, viz. Ruyton, Cotton, Wykey, Shotatton, Shelvock and Eardeston. The remaining five, viz. West Felton, Sutton, Rednal, Haughton, and Tedsmere, lie without the parish.

There have been perambulations of the parish once in every seven years at least; but none of the borough: the limits of which, however, are stated to be perfectly well known and defined, and never to have been the subject of dispute or litigation.

Charter.

3. There is a tradition that, at a fire which consumed the vicarage of Ruyton, above half a century ago, some charters relating to that borough were destroyed.

The translation of the charter of John Earl of Arundel and Mountravers, inspecting and confirming antecedent charters of Richard Earl of Arundel and Surrey, and of Edmund, his grandfather, was taken from a copy, on parchment, among documents in the custody of the present vicar. A Latin copy of the same charter also accompanies this Report.

The original charter (of Edmund) is dated at Ruyton, on the Sunday next before the Feast of the Nativity of St. John the Baptist, in the 2d year of the reign of the Lord King Edward, son of King Edward.

The confirmation, by Richard, is dated at Castle Philipp, 1st September, 17 Rich. II.; and that by John, at London, 22d April, 8 Hen. VI.

It grants to his burgesses of Ruyton a free borough in that town, and "to every one that hath taken, or henceforth may be willing to take land of the said borough, one place of burgage, and three acres of field land, to have and to hold for us and our heirs, to themselves, and to their heirs and assigns, freely for ever; rendering therefrom yearly to us and our heirs, for each burgage, twelve-pence, and each acre of land four-pence, &c." It exempts them from "toll, passage and pontage through all our lands; and also of heriots, reliefs, tallage, and of all other customs;" and grants them "the laws and customs of Bristol, whole and inviolable for ever; so that no bailiff of ours do in no wise set his hand against the laws and customs aforesaid, &c. And that they may have the laws and customs aforesaid as wholly and freely as the citizens of Hereford, or the burgesses of Shrewsbury hold them. And that from henceforth no one may do any merchandize in the borough aforesaid, unless it be of the said law, or by the consent of the said burgesses."

It then gives them a gild mercatory, with assize of bread and ale, and with other like immunities; reserving, however, for each brewing that they have brewed in the borough, three gallons of ale for him and his heirs.

Officers.

4. The only Officers of the borough are:

Bailiffs	2	Serjeant at Mace	1

Bailiffs.

5. No appointment of corporate officers whatsoever is recognized by the charter, which only incidentally notices the office of Bailiff, in terms from which it may be inferred that here (as in a multitude of other places in the Marches and Principality of Wales) the municipal officers were mere appendages of the lordship of the borough or manor.

In

In point of practice, a high and low bailiff are appointed annually, at the court leet, in the month of October. The high bailiff for the time being nominates the succeeding high and low bailiffs, without any interference on the part of the lord.

In general, the burgesses who attend on the jury at that court form a majority of the whole body of burgesses. They are not, however, consulted by the bailiff as to the appointment of his successors; though sometimes, as a matter of courtesy, the intended appointments are communicated to them, with an inquiry whether there is any objection to them. No instance has occurred of any objection taken on the part of the burgesses.

They had been uniformly chosen from among the burgesses, until last year, when a departure from that practice first occurred, and one of the bailiffs was appointed from among the inhabitants at large.

Bailiffs, functions of.

6. The Bailiffs appear to have no other functions than the appointing of the serjeant-at-mace, and furnishing him with the list of persons to be summoned on the juries; and although they attend at the assizes, and are regularly called upon the roll of magistrates, they have no magisterial duties whatever to perform. They have no salaries or emoluments from any source.

Serjeant-at-Mace.

7. The Serjeant-at-Mace is appointed by the bailiffs annually, in point of form; but the same individual is generally re-appointed while able and willing to serve.

Functions.

8. He assists the constable of the borough as a conservator of the peace, each of the townships of New and Old Ruyton appointing distinct constables; and he summons the juries from the bailiffs' list.

He carries an ancient silver mace, with the inscriptions "Liberum Burgū de Nova Ruyton," and "Edmund Comes Arun;" and decorated with the Arundel arms, and those of England and France.

Emoluments.

9. At the annual fair on the 5th July, the serjeant at mace takes 1*d.* per standing from all non-burgesses exposing goods for sale, and 6*d.* from every non-burgess who sells ale or keeps any shop within the borough. These payments are generally submitted to, and form the whole of the emoluments of his office; but he shares in a dinner given by the lord annually on the court day, to all but the bailiffs, who pay for themselves.

Freedom.

10. It is reputed that the freedom of the borough may be obtained by birth, as son of an actual burgess, or by marriage with the daughter of a burgess. But in many instances, the privilege is not thought worthy of being insisted on.

Fees.

11. There are no fees whatsoever payable in respect of the freedom or offices.

Court.

12. The charter grants "that a free Court be made out and held of three weeks to three weeks if it be necessary; and that no one of the burgesses be impleaded, nor judged, unless in the said court, and that by their equals." But there is no record or trace of the holding of any such court; and the only court holden within the borough is that of the leet, for the manor at large, at which nuisances generally throughout the manor are presented, and all the officers of the eleven towns, as well as of the borough, are appointed.

Juries.

13. The bailiffs give the serjeant at mace a list of the persons whom he is to summon on the jury, consisting indiscriminately of all qualified inhabitants, without reference to their burgess right. Their attendance is procured without difficulty.

They have no fees or advantages beyond the dinner, for which the lord of the manor allows 5*l.*

Police.

14. The serjeant at mace and constable form the whole local Police. There are three county magistrates resident within two or three miles of the town.

Gaol.

15. There is a lock-up house in the borough, the upper part of which is let as a saddler's shop. Formerly the bailiff of the manor used to receive the rent of the shop; although no repairs have been done to it, at the expense either of the present lord (Earl of Powis), or the late (Lord Craven).

About 20 years ago, the lock-up being in a very dilapidated state, the burgesses raised a sum by subscription among themselves for its repair, and have since been allowed to receive the rent of the saddler's shop (1*l.*) nominally however only, for none has actually been paid.

The lock-up answers all the purpose here required for confinement of prisoners.

Property: Common.

16. The charter provides "that all and singular the burgesses aforesaid, and their heirs and assigns, have free common of pasture for all their cattle every where within the whole manor of Ruyton, with its members, where other tenants, as well free as others, do common."

And, in point of fact, a right of common is exercised by them upon a common consisting of about 36 acres, called Cliffe. This right has been used by all inhabitants of New Ruyton, whether holding inclosed lands or not, without interruption, and for all their sheep without stint. The sheep of the inhabitants of Old Ruyton, depasturing there, have been occasionally impounded. This is the only property of the burgesses.

Patronage: Registry of Wills.

17. There is no Patronage, ecclesiastical or civil, belonging exclusively to the borough.

A court for the registration of wills and administrations is held by prescription for the whole lordship; but it has no exclusive powers or jurisdiction; and the very rare instances

RUYTON.

in which it has been used of late years, are those in which, the property being very small, it was desirable to diminish expense as much as possible.

In the last 34 years, only two wills have been proved in it; and no administrations granted.

General state: Church.

18. The living of Ruyton is a vicarage, in the diocese of Lichfield and Coventry, and in the patronage of the Crown.

The present vicar, the Rev. Geo. Evans, M. A. of Christ's Church, Oxford, has held it about 10 years, without any other preferment, doing the entire duty himself.

The gross value is about 310*l.* per annum. The church is calculated to accommodate about 360 persons. The population of the entire parish is about 950.

School.

19. There is a National School in connexion with the church, established by subscriptions in land and money, vested in trustees to the use of the school.

It has at present about 85 scholars, and is said to be well regulated.

Dissenting Congregation.

20. A meeting of Independent Methodists has been recently established here, who have erected a chapel, to which there is much resort from the neighbouring townships.

They have not yet connected any school with their establishment.

Labouring Classes.

21. No manufactories have been, or are likely to be, established in this vicinity.

Able-bodied labourers can procure employment in agriculture, at all seasons, without much difficulty, at weekly wages of about nine shillings.

Poor.

22. This is one of the 13 united parishes contributory to the house of industry at Oswestry.

It is not easy under any circumstances, and impossible on a cursory inquiry of a few hours, to obtain accurate testimony from impartial sources, on any subject connected with the regulation of the poor. Here it is said that the house of industry is very unpopular, that old people especially consider it almost as death to be removed from their relatives, and prefer to live upon 1*s.* 6*d.* per week, rather than become inmates of the workhouse: and it is stated that, in fact, there is not one pauper there from the borough of Ruyton, and very few from the parish at large.

Poor-rates.

23. The practice here is to make quarterly collections for the poor-rate. For the year ending Easter 1833, 4*s.* in the pound on an assessment estimated at about one-fifth of the rack-rent, was levied. The total amount applied to the relief of the poor was for that year 292*l.* 12*s.* It has not varied during the last 12 years.

Public-houses and Beer-shops.

24. There are three Public-houses in the borough, and only one Beer-shop, which is said to do very little business, and hitherto not to have done any harm. It is at a distance from the town of about a quarter of a mile.

Durham, 21 May 1834. *Geo. H. Wilkinson.*

The following documents are sent with this Report:

A. Translation of the charter of the Earls of Arundel to Ruyton.

B. Letter from Mr. Edwards.

C. Latin copy of the "Carta de Ruyton Com. Salop. 22° Apr. 8° Hen. 6ti."

REPORTS

FROM

PLACES NOT IN ANY DISTRICT.

CONTENTS.

COUNTIES.

BERKSHIRE.	KENT.
ESSEX.	SURREY.
HERTFORDSHIRE.	

CITIES AND BOROUGHS.

	Page		Page
1. Gravesend - -	2863	6. Maidenhead - -	2907
2. Guildford - -	2869	7. St. Alban's - -	2917
3. Havering-Atte-Bower	2877	8. Windsor - - -	2931
4. Hertford - -	2883	9. Wokingham - -	2937
5. Kingston-upon-Thames	2891		

789

REPORT

ON

THE CORPORATION OF GRAVESEND.

CONTENTS.

	Page
Limits	2865
Charters	2865
Title	2865
Corporate Body	2865
Officers	2865
High Steward	2865
Mayor	2865
Recorder	2865
Justice	2866
Chamberlain	2866
Coroner	2866
Town Clerk	2866
Serjeants at Mace	2866
Gaoler	2866
Crier	2866
Fines	2866
Ruling Body	2866
Freemen	2866
Fees on Admission	2866
Courts	2866
Juries	2867
Gaol	2867
Property	2867
Patronage	2868
Local Acts	2868
General state	2868

CORPORATION OF GRAVESEND.

1. THE jurisdiction of the Corporation of Gravesend extends over the two parishes of Gravesend and Milton, which contain a population of about 10,000 people. Limits.

2. It is said that the corporation existed by prescription before the first Charter, which was granted in the fourth year of Queen Elizabeth. By that charter, after reciting that the town or parishes of Gravesend and Milton were in great ruin and decay, by reason that they had not a common market holden in the town every week, by reason of the diminution or discontinuance of the common passage between Dover and London, and that the common passage by water between Gravesend and London by virtue of the letters patent of Henry IV. confirmed by succeeding sovereigns, was not rightly governed, the Queen piously compassionating the state of the towns and parishes aforesaid, and, desiring to promote them to a better state, granted to the inhabitants thereof to be a body corporate, by the name of the Portreeves and Jurats, inhabitants of the towns and parishes of Gravesend and Milton; to have a court of record before the two portreeves and ten jurats four times a year; and the corporation to consist of two portreeves and a clerk of the market, to be elected annually by the portreeves, jurats and inhabitants, and ten jurats, to be elected by the same body for life, upon vacancies occurring. The charter then grants a market and two fairs, and power to the portreeves and jurats to frame institutions and ordinances for the good governance and support of the ferry and passage from Gravesend to London by water. Charters.

The next, which is the governing charter, was granted in the seventh year of Charles I. There is also a charter of the 3d James II.; but it does not appear to have been ever accepted.

In 1694 a grant of William and Mary, founded upon a writ of *ad quod damnum*, authorized the holding of the market on Wednesdays and Saturdays.

3. The Title of the Corporation in the governing charter is, "The Mayor, Jurats and Inhabitants of the villages and parishes of Gravesend and Milton, in the county of Kent." Title.

4. The Corporation consists of a High Steward, Mayor, Recorder, 12 Jurats, and 24 Capital Inhabitants, also called Common Councilmen. Corporate Body.

The Jurats are, upon a vacancy, elected for life, by the mayor, jurats and capital inhabitants, or a majority of them, from among the capital inhabitants. Jurats.

The Capital Inhabitants are, upon a vacancy, elected for life from among the inhabitants of Gravesend, being freemen, by the mayor, jurats and capital inhabitants, or a majority of them. Capital Inhabitants.

5. The several Officers of the Corporation are, a high steward, a mayor, recorder, justice, coroner, chamberlain, town clerk, two serjeants at mace, and a crier. Officers of the Corporation.

6. The office of High Steward is hereditary in the family of the Earl of Darnley. The only functions of the high steward, who has no salary or emoluments, are, to nominate two barristers, for the choice of the corporation, as recorder, and to concur by himself or a deputy, in bye-laws for the regulation of the Long Ferry. High Steward.

7. The Mayor is elected annually, on the first Monday after Michaelmas, by the jurats and capital inhabitants, or a majority of them, from among the body of jurats. Mayor.

He is authorized by the governing charter to appoint a deputy in case of sickness or absence; but the practice is to appoint one for the whole year at the time of the mayor's election.

The mayor acts as chief magistrate and clerk of the market; and it is usual also to confer on him the office of coroner.

As mayor, he has no salary or emoluments; but the office is attended with expense in respect of the customary hospitalities, towards which it is usual to allow a sum of 50*l.*

8. The Recorder, who must be a barrister of nine years' standing, is elected by the mayor, jurats and capital inhabitants, from two persons nominated by the high steward. Recorder.

His office is during the pleasure of the corporation, and he must reside in the town, unless excused by them.

Besides the ordinary duty of legal adviser to the corporation, he is also by the governing charter, a magistrate.

He has a salary of 40*s.* a year, and the like sum for every court he attends as legal adviser of the mayor.

The present recorder does not reside in Gravesend; he attends when required; but his attendance has not, upon an average, been called for more than twice a year since his appointment.

GRAVESEND.

Justice.

9. The Justice is appointed annually the Monday after Michaelmas, by the mayor, jurats and capital inhabitants, from among the jurats. It has been customary to re-elect the eldest jurat for several years in succession. He has no salary or emoluments, and his jurisdiction is not exclusive of the county magistrates.

It was objected that the justice ought to be an inhabitant of Gravesend, and that the present justice resided in a place, called the Blockhouse, which was alleged, but not proved, to be extra-parochial. The Blockhouse, however, is within the town of Gravesend, and whether it be extra-parochial or not, the justice is as accessible there for all purposes as in the adjoining street.

Considerable inconvenience, however, is experienced from the paucity of the magistrates, there being but two, in the absence of the recorder.

Chamberlain.

10. The Chamberlain, who is not named in the governing charter, is elected annually by the mayor, jurats and capital inhabitants, from among the capital inhabitants.

His duties are to receive the revenues and keep the accounts of the corporation, which are audited every year by the whole body.

He has a salary of 17*s.* 6*d.*, and a per centage on monies collected, which amounts to about 30*l.* a year.

Coroner.

11. According to the governing charter, the mayor, jurats and capital inhabitants are to appoint annually a Coroner from among the capital inhabitants; but the practice has been to appoint the mayor for the time being.

As coroner, he has 1*l.* on every inquest, but no salary.

Town Clerk.

12. The Town Clerk is appointed for life by the mayor, jurats and capital inhabitants.

He transacts the law business of the corporation, for which he has a salary of 30*l.* a year. He is also clerk to the magistrates, and assessor to the mayor in the court of record, in which capacities he receives the ordinary fees; and is also entitled to a fee of 4*s.* 10*d.* upon the admission of every freeman.

Serjeants at Mace.

13. Two Serjeants at Mace are appointed annually by the mayor, jurats and capital inhabitants.

Gaoler.

14. One of these serjeants is also Gaoler, in which capacity he has a house, coals and candles, clothes, together with a salary, from which, with other emoluments, he derives about 55*l.* a year.

The other serjeant has only his clothes.

Crier.

15. The Crier, appointed annually by the mayor, jurats and capital inhabitants, has also his clothes, and the usual charges for crying.

Fines.

16. The Fines for refusing to serve the office of

	£.	s.	d.
Mayor, are - - - - - -	20	–	–
Justice - - - - - - -	10	–	–
Jurat - - - - - - -	10	–	–
Capital Inhabitant - - - -	5	–	–
Chamberlain - - - - -	5	–	–
For not attending Court - - -	–	3	6

Ruling Body.

17. There is no separate Ruling Body: the making of bye-laws and all the affairs of the corporation are the common province of the entire body of mayor, jurats and capital inhabitants.

Freemen.

18. Persons become free of the town of Gravesend by birth, servitude and purchase:

1st. The first son born to a freeman after his admission, is free; if that son dies, the next in succession, and so on.

2d. An apprenticeship of seven years served with a freeman in Gravesend gives the party who has served it a title to his freedom; and

3d. The freedom of the town is also conferred upon payment of a sum, varying from 6*l.* to 30*l.*, but usually 20*l.*

Fees on Admission.

19. The Fee upon Admission to the freedom, under each of the foregoing titles, is 5*s.* 10*d.* besides the stamp. There is also a penalty of 8*d.* a quarter upon parties entitled, neglecting to take up their freedom.

The freemen are, with the exception hereinafter mentioned, exclusively privileged to carry on trade in the town, and, as inhabitants of Gravesend, are by the charter exempted from serving on juries in the county at large.

Persons who have served in the army or navy, are entitled to carry on trade although they be not freemen. But the magistrates, alleging, and apparently with truth, that there are enough public houses already in the town, have refused to license such persons to keep public houses unless they purchase their freedom.

Courts.

20. There is no Court of Quarter Sessions, and the ordinary jurisdiction of the borough justices is not exclusive of the county magistrates, who, however, are not in the habit of interposing.

A Court of Record is held before the mayor and three jurats, from three weeks to three weeks. Its jurisdiction is unlimited in amount. However, few actions are commenced in the

the court; not more than four or five in a year; of which scarcely any proceed to trial. Under a bye-law,

The court has the power to appoint three attornies, with an exclusive privilege to practice therein. At present there is only one, the partner of the town clerk, who attends and taxes costs as assessor to the mayor.

There is a Table of Fees sanctioned by the Court, and the costs of a cause which has proceeded to a trial may amount to 18*l.* or 20*l.*; 12*l.* or 14*l.* for plaintiff, and 6*l.* or 8*l.* for defendant.

If a competent judge were to preside, the number of causes would probably be considerable.

Juries.

21. The Juries for the Court of Record are taken in rotation by the serjeants at mace from among the qualified inhabitants of the town.

Gaol.

22. There is a Gaol superintended by the mayor and justice, but it is only for debtors in execution, and the safe custody of offenders before commitment, the magistrates being authorized by the charter to commit to the county gaol.

Property.

The Property of the Corporation consists of,

The Market and Town Hall and Gaol,
A House at the Quay,
The Free School,
The Manor of Parrock,
The Ferry of Tilbury,
Certain Tolls, and
Fines paid on the purchase of Freedom, &c.

The following is an Account of the Receipt and Expenditure for the year 1831-2, and an average of three years preceding.

RECEIPTS:	£.	s.	d.	EXPENDITURE:	£.	s.	d.
By Balance of last year's accounts in cash and bills	129	18	8	Law charges and town clerk	30	–	–
– Rents	334	2	–	Insurance	12	15	3
– Freedoms	133	6	8	Fee-farm rent	–	12	8
– Weights and measures	1	8	2	King's taxes, and poor and other rates	98	3	4
– Fines	2	16	–	Mortgages*	150	–	–
– Market tolls	273	18	1½	Annuities*	232	–	–
– St. George's Fair	1	18	9	Bonds*	217	17	4
– Town quay tolls	60	–	–	Free-school	27	12	5
– Town clerk, paid to him from the county, for persons acting as special constables in October 1832	19	15	–	Stamps and freedoms	19	–	–
				Mayor	41	12	2
				Serjeants at mace	52	1	3
				Servants	2	–	–
– Fine for breach of bye-laws	–	3	4	Chamberlain	–	17	6
– Court Baron	56	4	–	Lord Darnley's gamekeeper	1	1	–
				Auditors and assistant clerks of market	8	–	–
				Miscellaneous	91	15	10½
				Balance	45	1	11
£.	1,036	10	8½	£.	1,036	10	8½

* These items are the amount of interest paid on sums borrowed for and expended on public buildings and improvements.

AVERAGE FOR THREE YEARS.

RECEIPTS:	£.	s.	d.	EXPENDITURE:	£.	s.	d.
St. George's Fair	2	1	4½	Law Charges	55	5	5
Market	306	18	–	Recorder	2	–	–
Ground	13	16	–	Mayor	50	–	–
Pier hotel	219	10	–	Chamberlain	–	17	6
Pier	60	–	–	Town clerk	30	–	–
Freedoms and compositions	271	5	1½	Serjeant at mace	55	6	8
Cross Ferry	140	–	–	Fee-farm rent	–	12	8
Free-school, rents for	14	10	–	Servants	2	–	–
Weights and measures	2	14	10	Insurance	12	15	3
Beckett, sufferance on quay	1	1	–	Gratuity	1	1	–
Dadd - ditto - on Market-place	–	2	6	Taxes	99	17	8
Miscellaneous	16	10	–	Free-school	25	7	3½
Manor of Parrock	3	10	–	Mortgages	150	–	–
Fines	17	6	–	Annuities	232	–	–
				Bonds	176	9	1
				Stamps	41	11	6
				Miscellaneous	127	12	10½
£.	1,069	4	10	£.	1,062	16	11

GRAVESEND.

Patronage. The only Patronage belonging to the corporation is the appointment of master to the Free School. He has a house with the appurtenances, and a salary of 19*l.* 10*s.*

Local Acts. The Local Acts relating to Gravesend are,—

47 Geo. III. 1807—"An Act for the more easy and speedy recovery of Small Debts within the Town of Gravesend and the Hundred of Tottinghough, Dartford, Wilmington, and Cuxtone in the county of Kent."

56 Geo. III. 1816.—"An Act for the better Assessment and Collection of the Poor Rates and other within the Parish of Gravesend."

9 Geo. 4. 1828.—"An Act for Rebuilding or for improving, regulating, and maintaining the Town Quay of Gravesend in the County of Kent, and the Landing Place belonging thereto."

3 Will. IV. 1833.—"An Act for paving, cleansing, lighting, watching and improving the Town and Parishes of Gravesend and Milton, in the County of Kent."

4 Will. IV. 1833.—An Act for amending an Act of 9 Geo. IV., intituled, as above, and for building a Pier or Jetty adjoining thereto.

General state. The Town is in a prosperous condition.

London, January 17th, 1834. *P. Bingham.*

REPORT

ON

THE CORPORATION OF GUILDFORD.

CONTENTS.

	Page
Limits	2871
Charters	2871
Title	2871
Corporate Body	2871
Officers:	
High Steward	2871
Mayor	2871
Recorder	2872
Justices	2872
Bailiff	2872
Coroners	2872
Town Clerk	2872
Hall Warden	2872
Serjeants at Mace	2873
Beadle	2873
Ruling Body	2873
Freemen	2873
Fees	2873
Fines	2873
Courts:	
Quarter Sessions	2873
Petty Sessions	2873
Court of Record	2873
Juries	2873
Police	2874
Gaols	2874
Property	2874
Patronage	2875
General State	2876
Local Acts	2876

CORPORATION OF GUILDFORD.

1. THE Limits of the corporate jurisdiction are correctly described in the Map of the Boundary Commissioners. They comprehend the parishes of Trinity, St. Mary and St. Nicholas, and contain a population of about 3,800 persons. Limits.

2. A Charter of 11th Edward III., reciting a grant of the town of Guildford from the same king in the second year of his reign to the goodmen of the same town, to have and to hold to them, their heirs and successors in fee farm; and reciting that Henry Norbridge, then mayor of the town, and the goodmen, did "feare to be troubled and vexed in time to come, soe that they cannot use and enjoye the same guifts, graunts, libertyes, franchises, quiettances and priviledges as they were accustomed to doe, for cause of the darkness and difficulties of the opinions of divers persons, which may fortune to be found in the corporation and body of the same mayor and goodmen, which things yf it should be suffered to come to passe, would not only fall to the peril of the dissolution of same now mayor and goodmen, but alsoe to their manifest disenheritance, which God forbid;" granted to the then mayor and goodmen of the town aforesaid and their successors, for ever, that the same town should be corporated of a mayor and goodmen; that the goodmen should every year, upon the Monday after the feast of St. Michael the Archangel, choose of themselves "a certaine meete person and discrete," to be mayor of the same town, the mayor to be clerk of the market, and to appoint servants at mace and other necessary officers; and the mayor and goodmen to appoint a coroner. Two fairs to be holden annually; and a court of unlimited jurisdiction, before the mayor and two discreet men, from three weeks to three weeks. The mayor to have the return of writs, and the mayor and goodmen to be exempt from serving on juries without the town. Charters.

This charter was confirmed in the 1st year of Edward VI., and also by a charter granted in the 22d of Elizabeth.

The charter of Elizabeth was confirmed by a charter of first year of James I., and,—

In the second year of James II., a charter was obtained for making two of the aldermen justices. But the charter of Edward III. appears to be still the governing charter.

3. The title of the corporation is, "The Mayor and Approved-men of the Town of Guildford in the County of Surrey." Title.

4. The Corporation consists of a Mayor, and an indefinite number of Approved-men; the number has varied from 25 to 39, the number at present. A person becomes an approved-man by being *nominated* to, and accepting, or fining in for, the office of *bailiff* in the corporation; and it is the custom to nominate annually as bailiff, a person who has served, or paid the fine for not serving, the office of *constable* of the town. Corporate Body.

The constables of the town are appointed by the borough justices at the court leet, held by the corporation as lords of the manor. These justices, as hereinafter appears, are appointed by the corporation.

5. The Officers of the corporation are, Officers.

A High Steward,
Mayor,
Recorder,
Two Justices,
Bailiff,
Two Coroners,
Town Clerk,
Hall Warden,
Two Serjeants at Mace, and
A Beadle.

6. The High Steward, who is generally a nobleman resident in the neighbourhood, is elected for life by the whole corporate body. High Steward.

He has no duties; but is entitled to a salary of 5*l.* 5*s.* per annum, which he gives to the serjeants at mace and beadle.

7. By ancient custom, confirmed by a bye-law of 6th Geo. II., those who have served the office of Mayor are styled aldermen or magistrates, without however being invested with any functions in respect of such appellation. Mayor.

If there be eight of these aldermen, the mayor is elected by the whole body of the corporation out of the eight; if there be fewer than eight, he is elected by the whole corporation from among such of the approved-men as have served the office of bailiff, and takes the style of Alderman when his mayoralty has expired.

GUILDFORD.

In this way the number of eight aldermen is again completed, and the ensuing mayor is chosen from among the eight.

The election takes place annually on the Monday after Michaelmas-day.

The mayor is chief magistrate of the town, clerk of the market, returning officer, judge of the court of record, and a magistrate the year after his mayoralty.

As mayor, he receives the tolls of the market, for which he pays the corporation 150*l.*: he pays also 35*l.* 12*s.* more, as salaries of the serjeants at mace, beadle and corn porter.

The tolls produce from 170*l.* to about 200*l.* a year.

The mayor is also entitled to the soil or sweepings of the town, but is compelled to defray the whole charge of cleaning the town, which is now about 80*l.* a year.

In addition to this, the customary feasting or hospitalities cost him about 150*l.*

Recorder.

8. The Recorder is chosen annually at the same time as the mayor, and by the same body.

He must be learned in the law, and it has always been usual to re-elect the same person.

He is a justice of peace by virtue of his office, and with the mayor, a judge at the quarter sessions.

He has a salary of 4*l.*, which it has been the custom to hand over to the serjeants at mace and beadle.

Justices.

9. Under the charter of James II., two of the aldermen are elected annually by the whole corporation, and at the same time as the mayor, to act as Justices for the Borough.

Their jurisdiction is not exclusive of the county magistrates, and they have no salary or emoluments.

Bailiff.

10. The Bailiff is elected annually at the same time, and by the same body as the mayor.

He must be a resident householder, paying scot and bearing lot, and a person who has served, or has paid a fine in lieu of serving, the office of constable of the town.

The person who is so elected bailiff has the option of serving the office, or fining in, or fining out.

If he serves the office, he becomes a member of the corporation.

If he is willing to become a member of the corporation, but not to serve the office, he fines in; that is, he becomes a member of the corporation on paying 63*l.* and giving the corporation a dinner, in lieu of serving the office.

If he is unwilling either to serve the office or to become a member of the corporation, he fines out; that is, he pays 94*l.* 10*s.* to the corporation funds, is excused from becoming a member of the corporation, and is exempt from the office for life.

The fines, which had previously been lower, were increased to their present amount by a bye-law of February 1819.

Until the last year, when Mr. William Watson, a respectable coachmaker, fined out, there had been no instance of fining out for many years.

Mr. Watson, who at the time he fined out had resided in the town seven years, complained to the commissioner on the subject of this bye-law of the corporation, and alleged that there were many persons who had resided in the town a longer period than himself, equally competent to fill the office of bailiff.

He did not, however, allege that the corporation had been actuated by improper motives in nominating him to the office.

The duties of the bailiff are the same as those of a sheriff. He executes process, and is responsible for the safe custody of prisoners for debt.

He receives for his own use head-pence from all male inhabitants; certain small quit-rents and fines for encroachments; and a portion of the tolls at fairs and markets:

The whole producing at present about 17*l.* a year.

In return for this he is expected to give dinners to the corporation and peace officers on the days of the quarter sessions, which with other expenses cost him from 150*l.* to 200*l.*

Coroners.

11. The Coroners are chosen annually by the whole body of the corporation at the same time as the mayor, and it has always been the practice to choose the ex-mayor and the town-clerk.

They have no emoluments, but the 20*s.* paid on each inquest.

Town Clerk.

12. The Town Clerk is elected annually, by the same body and at the same time as the mayor. It has always been the practice to re-elect the same person.

He transacts the law business of the corporation, attends as clerk of the peace at the quarter sessions, as clerk to the magistrates of the borough, and as assessor to the mayor in the court of record.

His emoluments consist of the ordinary professional charges. He has no salary.

Hall Warden.

13. The Hall Warden, who is not named in any of the charters, is elected annually, at the same time and by the same body as the mayor. He must be a member of the corporation who has served the office of bailiff.

His

His duties are to act as treasurer of the corporation, but he cannot disburse more than 40 *s.* without an order from the corporation, made in common hall. GUILDFORD.

He has no salary or emoluments.

14. The Serjeants at Mace are appointed annually by the mayor for the time being, and are removable at pleasure. Serjeants at Mace.

Their duties are, to attend the mayor; to collect his tolls; to summon juries; to serve process, and execute writs from the court of record.

They have each a salary of 14 *l.* 12 *s.*, and some small fees on service of process, &c.

15. The Beadle, who is also Crier and Coalmeter, is appointed by the mayor. Beadle.

He has a salary of 40 *s.* a year, and his fees for crying and metage.

No fees are paid upon admission to corporate offices.

16. Nor is there any Ruling Body other than the entire corporation. Ruling Body.

17. Persons become free of the town, Freemen.

1. By Admission into the Corporation, as before explained.

2. By Birth:—The eldest son of a freeman, being free, whether born before or after his father's admission. If the eldest die before he attains 21, the second succeeds to the freedom.

3. By Apprenticeship:—An apprenticeship of seven years served with a freeman within the borough entitles the party serving to his freedom, if the indenture be enrolled within 12 months after the commencement of the service.

4. By grant or purchase from the corporation.

The corporation have not sold the freedom for upwards of a century, and have made only six honorary freemen within the last 50 years, notwithstanding a resident freeman is entitled to vote at the election of members for the town.

The inhabitants of Guildford are exempt from serving on juries out of the town, and the freemen have no other privilege.

The number of resident freemen, including the corporation, is 83. Non-resident, about 25.

18. The Fee upon the admission of freemen, is 4*s.* Stamp duty, 20*s.* Fees.

19. The Fines imposed by the corporation on their own members, or others, are— Fines.

A fine of 10*s.* payable by every member not attending a guild merchant when duly summoned, unless he is previously excused by the mayor.—Bye-law, 19 May 1800.

The fines imposed on persons desirous of being excused from serving the office of bailiff are before set forth.

At the annual Court Leet for the choice of officers, the following fines are imposed on persons desirous of being excused from serving offices, viz.:

Ale-taster - - - - - - -	40*s.*
Tythingman - - - - - - -	£.3.
Constable - - - - - - -	£.7. 10*s.* or,

If the party chooses to fine for all three offices at once, he may do so by paying 10 *l.* 10 *s.*

20. Quarter Sessions are holden for the trial of such offences as are usually tried at sessions; but not felonies the punishment of which affects life or limb. Courts: Quarter Sessions.

The mayor presides, assisted by the recorder and the three other magistrates.

The town clerk acts as clerk of the peace, and clerk of the indictments; and

The serjeants-at-mace, as criers.

Within the last seven years there have been 20 cases of felony and 12 of misdemeanor.

21. The magistrates hold Petty Sessions from time to time, as the business of the town requires. Their jurisdiction extends throughout the borough as laid down in the plan, and also by charters of Charles I. and James II. throughout the parish of Stoke. But the power of acting in the parish of Stoke seems to have been seldom or never acted upon. Petty Sessions.

The jurisdiction is not exclusive. The justices for the county of Surrey have a concurrent jurisdiction.

The fees taken by the town clerk at sessions are the same as in the county.

22. There is a Court of Record for the borough, holden in pursuance of the charters every third Monday; its jurisdiction is unlimited in amount: Court of Record.

But the court has fallen greatly into disuse. There has not been an issue tried for upwards of 80 years, or an arrest on *mesne process* for upwards of 40 years.

The mayor and other aldermen preside over this court. But

If there are not two aldermen present, a bailiff is called in.

The process and practice is similar to that of the Courts of Westminster before the late alterations.

23. The Grand Jury in the criminal court is composed of all the members of the corporation who are not aldermen; and, except the serving bailiff, as many as appear are sworn. Juries.

The members are all summoned, and are liable to fines for non-attendance.

The petty jury is struck by the town clerk, and are householders taken from the poor's rate books in rotation as they stand.

GUILDFORD.

24. The mayor and justices have the control of the Police of the town; the justices of the county of Surrey who have a concurrent jurisdiction seldom interfere.

Police.

The police consists of

Two constables for the whole town.
Two ale-tasters for ditto.
Two tasters of fish and flesh for ditto.
Two tythingmen for Trinity parish.
Two ditto for St. Mary; and
One ditto for St. Michael.

These officers are housekeepers serving in their own right, and are appointed at a court leet holden in the month of January in every year.

There are two watchmen for the night, who are appointed by the trustees acting under a local Act next hereinafter mentioned, who are also sworn as constables.

An Act was passed in the 32 Geo. II. for watching and lighting the town, the trustees for putting which into execution are the members of the corporation for the time being, and 13 individuals resident in the town named in the Act, and their successors.

The trustees contract annually with the Gas Company for lighting the town, and they also appoint and pay the watchmen.

The trustees raise about 240*l.* per annum by rates upon the inhabitants; this sum is insufficient for the purposes of the Act, and the balance has been of late years made up by subscriptions of the inhabitants.

Another Act was passed in the 52d Geo. III. for paving, cleansing and improving the town. By this Act 105 persons are appointed commissioners, including the members of the corporation for the time being. There are at present about 70 persons who have taken the oath of qualification required by the Act.

The pavement of the town and the public improvements are under the direction of these commissioners, who have contracted a large debt, and levy rates to pay the interest, and for other purposes of the Act.

	£.	s.	d.	
In Trinity the rate amounts to - -	188	–	–	per annum.
St. Mary - - - - - -	275	–	–	—
St. Nicholas - - - - -	54	–	–	—

Besides these funds, a toll of one penny per load for all goods navigated on the river Wey, which the corporation is entitled to, and which produces about 210*l.* per annum, is by the last above mentioned Act directed to be applied in aid of the paving funds, and is applied by the commissioners accordingly.

Gaols.

25. There is no Gaol for the reception of criminals belonging to the corporation: the borough magistrates are allowed to commit to the county prison.

When any person is taken in execution on a *ca. sa.* from the town court, he is taken to a lock-up room behind the new court house, which is part of the dwelling-house of the senior serjeant at mace, under whose care he is confined, and where he is maintained at the expense of the corporation until he obtains his discharge.

There have not been half a dozen such arrests during the last 40 years.

Property.

26. The Property belonging to the corporation consists of the old Town-hall, and a dwelling-house attached, the new market-house or court-house, and a small garden and stable attached, tolls, fines, sundry small quit-rents and other payments.

The income of the corporation is as follows:—

	£.	s.	d.
The mayor pays for the tolls of the corn-market, per annum - -	150	–	–
The corn porters pay annually, for depositing corn in the market-house	100	–	–
The tolls of the vegetable-market are let at 40*l.* per annum, the corporation paying the rent and taxes for the building in which they are held - - - - - - - - - - net surplus -	10	–	–
The tolls of the two fairs held every year - - - average -	11	–	–
Sundry small quit-rents and payments for encroachments, produce annually on an average - - - - - - - - - -	12	12	–
Dividend on 2-8th shares in the water-works belonging to the corporation - - - - - - - - - - -	30	–	–
Rent of dwelling-house, stable and garden, attached to the Town-hall -	22	–	–
Sundry small ground-rents, &c. - - - - - - - -	3	–	–
The fines for the office of bailiff within ten years have been,—seven fines in, at 63*l.*; and one out, at 94*l.* 10*s.* - - average per annum -	53	10	–
Fines for constables, &c. on an average of the last ten years - -	24	18	–
£.	417	–	–

This revenue is applied as follows:—

The corporation about twelve years ago purchased some premises, and commenced building a new market-house, court, &c. for the accommodation of the town, and a public subscription was opened to enable them to do so. The subscription fell far short of the amount required, and

and the corporation incurred a large debt, to meet which they borrowed on bonds 2,600*l.* This debt has been since reduced to 2,400*l.*, the interest of which is paid out of the above fund. The land-tax, poor rates, &c. on the tolls of the corn market, together with certain fee-farm rents, amounting to 14*l.* 10*s.*, are also paid thereout. The remainder is expended in keeping in repair the buildings, &c.; the fire engines belonging to the town; the law charges, which average 35*l.* per annum; and various other expenses, which the accounts explain.

RECEIPTS for the YEAR 1832:

	£.	s.	d.
Received of C. Booker, esq., balance of his payment as mayor	112	10	–
— of J. Stedman, esq., one quarter's payment as ditto	37	10	–
— for rents	205	19	6
— for fines	100	10	–
— for quit-rents	11	17	6
— for tolls	8	6	4
— of Messrs. Haydon, one year's dividend on shares in the water-works	30	–	–
— of Mr. Carter, subscription to fire-engine	2	2	–
£.	508	15	4

EXPENDITURE for the YEAR 1832:

	£.	s.	d.
Paid Mr. Palmer, late hall-warden, balance of last account	32	–	7
– Repairs	66	18	6
– Stamps, &c.	–	3	11
– Poor's rate	6	13	–
– Paving ditto	6	2	–
– Bill for necessaries of lock-up house	7	2	7
– One year's modus	–	14	–
– Gaoler attending town sessions	2	–	–
– Fee-farm rents	14	10	–
– Bill for rates	3	18	8½
– Church-rate	–	18	–
– for minding the straw at sessions and assizes	2	6	–
– for straw laid down before courts	7	–	–
– Bill for beer	1	1	10
– Beadle attending the mayor	2	–	–
– King's taxes	3	–	9
– Land-tax	5	18	5½
– High steward's salary	5	5	–
– Recorder's ditto	4	–	–
– Insurances	2	3	–
– for measuring the town	–	18	–
– for looking after the town clock	3	3	–
– Postage of letters for the late mayor	–	1	2
– Beadle's bill	1	16	9
– Sundry bills at assizes	17	4	6
– Ditto - engines	1	8	5½
– Russell for printing and stationery	9	6	9
– Chennell for coals	2	–	–
– the Beadle's gold lace hat	2	12	–
– Mr. Booker, one year's interest	40	–	–
– Mr. Newland - ditto	10	–	–
– the executors of Mr. French, ditto on 700*l.*	35	–	–
– Ditto - of Mr. Cumber - ditto	35	–	–
– the Serjeants at Mace, attending revising barristers	2	2	–
– Lord Grantley's rent for Judge's lodgings	37	9	8
– Ditto - and Mr. Norton, for sessions-house	20	–	–
– Ditto - for cock-pit	5	–	–
– the Town-clerk's bill	54	18	10
– Ditto - for the audit	–	6	8
£.	448	4	1½

	RECEIPTS. £.	s.	d.	EXPENDITURE. £.	s.	d.
1829	515	–	5	513	16	11
1830	515	2	6	378	9	2
1831	594	14	11½	626	15	6½
	3) 1,624	17	10½	3) 1,519	1	7½
	541	12	7½	506	7	2½

27. The Corporation have the appointment of the Master of the free grammar school in the town; an office endowed with 70*l.* per annum, and a capacious residence. They also appoint six scholars. These appointments are made by the whole body at a common hall. Patronage.

GUILDFORD.

The aldermen dispense the public charities, viz. the Poyle and other charities. But the property is vested in trustees, who appoint the treasurer; so that the money does not come into the possession of the corporation.

General State.

28. The town is in a respectable and prosperous state. There have been no more than two bankruptcies and five compositions with creditors in thirty years, and only one bankruptcy within the last thirteen.

With the exception of Mr. Watson (see *ante*, page 80), no one made any complaint against the corporation.

It is suggested, however, that in order to give due effect to the jurisdiction of the borough magistrates, the boundary of the borough should be enlarged to the same extent as that prescribed for the constituency to return Members to Parliament by the Reform Act.

That the local Acts for paving and for lighting, they being now separate and executed by commissioners of different qualifications, should be consolidated.

That so long as the tolls for produce brought to market are continued, they should be paid without regard to the part of the town in which the produce is exposed to sale, instead of being payable in the market-place only; and,

That the petty juries should be selected from 10*l.* a year householders, and not taken promiscuously from the whole body of householders, as heretofore, comprising even paupers.

Local Acts.

29. The local Acts relating to the borough are—

32 Geo. II. An Act for establishing, regulating and maintaining a Nightly Watch, and for enlightening the open Places and Streets within the Town of Guildford, in the County of Surrey.

52 Geo. III. Royal Assent 20th April 1812, An Act for paving, cleansing and otherwise improving the Town of Guildford, in the County of Surrey.

London, January 25, 1833. *P. Bingham.*

REPORT

ON

THE CORPORATION OF HAVERING-ATTE-BOWER,

(ESSEX.)

CONTENTS.

	Page.
Local Limits	2878
Charters	2878
Bodies composing the Corporation	2878
High Steward	2878
Deputy Steward	2878
Tenants and Inhabitants	2878
Clerk of the Peace	2878
Coroner	2878
High Bailiff	2879
Under Bailiff	2879
Constables	2879
Other Officers	2879
Justices of the Peace	2879
Courts:	Page.
Court of Ancient Demesne	2879
Court of Pie Poudre	2879
Court of Quarter Sessions	2879
Court Leet	2880
Petty Sessions	2880
Gaol	2880
Police	2880
Bye-laws	2880
Poor	2880
Charities, Patronage, &c.	2881
Revenue: Liberty Rate	2881
Expenditure	2881
Fines	2882
State and Prospects of the Liberty	2882
Remarks	2882

CORPORATION OF HAVERING-ATTE-BOWER.

Local Limits.

THE jurisdiction of the corporation of Havering-atte-Bower extends over the liberty and manor of Havering, comprehending the three parishes of Hornchurch, Romford and Havering. The limits are well defined; but no perambulations have been made of late years.

Charters.

The corporation have received the following charters,—

5 Edw. IV. 15 July 1465.
7 Hen. VII. 1484.
2 Hen. VIII. 5 Nov. 1510.
1 Mary, 1554.
1 Eliz. 5 June 1559.
30 Eliz. 18 June 1588.
2 James I. 4 April 1604.
7 Charles I. 1631.
16 Charles II. 10 March 1665.

The charters under which the corporation chiefly acts, are those of Edward IV. and Elizabeth. By the 30 Elizabeth the tenants and inhabitants of Havering-atte-Bower are incorporated. None of the charters are in the possession of the corporation.

Bodies composing the Corporation.

The Bodies composing the corporation are, the whole of the tenants and inhabitants of the liberty. In practice, the high steward, the deputy steward and the justice of the peace, elected by the tenants and inhabitants, are considered the head officers; but they do not appear from the charters to be made a part of the corporation in those capacities, but are merely empowered to act as justices of the peace. In strictness, the high steward and his deputy are the officers of the lord of the manor only, and not corporate officers. They are, however, invested in fact with the management of the corporate affairs.

High Steward.

The High Steward is appointed by the lord of the manor, Hugh Macintosh, esquire. His appointment is to hold during pleasure. In practice, however, the appointment is for life. Occasional instances have occurred of resignation. The duties of the high steward are, to act as a justice of the peace, and as judge of the court of ancient demesne. He has the power of appointing a deputy. There are no emoluments or privileges attached to the office. The present high steward is Thomas Mashiter, esquire, of Hornchurch, appointed in 1828. He acts as treasurer to the liberty rate, for which he receives 20*l.* per annum.

Deputy Steward.

The Deputy Steward is appointed by the high steward, and holds his office during pleasure. He is a justice of the peace for the liberty by charter, and in the absence of the high steward presides in the court of ancient demesne. He has no emoluments. The present deputy steward is Edward Ind, of Easterry Lodge, Romford, brewer, appointed in 1828.

Tenants and Inhabitants.

Possession of the freehold of lands within the liberty, the whole of which is ancient demesne, constitutes a Tenant within the charters. The qualification of an Inhabitant is not so well defined. No instance was remembered in which the question of what constitutes an inhabitant had been raised: but it was stated, that in practice every householder, within the liberty, whatever the nature of his holding might be, was considered as coming within the definition. The tenants and inhabitants are free from the payment of tolls. They likewise enjoy the privilege of being sued exclusively in the court of ancient demesne belonging to the manor. The tenants are suitors in that court. They also form the jury in the court leet, and elect various officers. They have likewise the power of electing a justice of the peace for the liberty. They are exempt from serving on county juries.

The following officers are elected by the jury of the court leet, and, strictly speaking, are rather officers of the lord of the manor than of the corporation. They act, however, under the direction of the magistrate appointed by the charters.

Clerk of the Peace.

There is no town clerk, but the Clerk of the Peace performs the customary duties of town clerk. He receives the usual fees of office. The present clerk of the peace is Mr. Wasey Sterry, solicitor, of Romford.

Coroner.

The Coroner, who is not a chartered officer, is appointed annually by the jury of the court leet. His duties are the same as those of a county coroner. He receives 1*l.* 1*s.* upon every inquest held in Romford, and 1*l.* 11*s.* 6*d.* for every inquest held in any other part of the liberty. The coroner's jury is summoned by his precept from the inhabitants generally. The present coroner is Mr. Sterry, the clerk of the peace.

The High Bailiff is elected annually by the leet jury; but if a vacancy occur in the course of the year, he is appointed by the high steward. His duties are to serve the precepts of the courts of quarter sessions and ancient demesne, and he performs, in other respects, the duties of sheriff. He likewise summons the juries. He has no salary, but receives poundage on executions. High Bailiff.

The Under Bailiff is appointed by the high steward. He acts under the orders of the high bailiff, and assists him in the performance of his duties. He receives a gratuity of 5*l.* a year from the lord of the manor. Under Bailiff.

There are two High Constables and nine Petty Constables appointed by the jury of the court leet. The high constables receive the usual fees of office, and an allowance of money for their attendance at the quarter sessions. The petty constables are remunerated in the same manner. Constables.

There are certain other Officers, elected by the court leet, whose appointment is merely formal, there being no duties performed, and no salaries received by them. These are, a clerk of the market (who is also inspector of weights and measures), two woodwards, two searchers and sealers of leather, and two ale conners. Other Officers.

By the charter of Edw. IV. the steward of the manor for the time being, and one of the discreetest and honestest tenants or inhabitants, to be from time to time chosen by the tenants and inhabitants, are made Justices of the Peace within the manor; and by the charter 1st Elizabeth, the deputy of the steward of the manor, as long as he continues in that office, is also made a justice of the peace for the manor, and the justice chosen by the tenants and inhabitants is made of the quorum. By the charter of Edw. IV. the magistrates of Essex shall not intermeddle with regard to any matter within the manor, and all acts so done by them are declared void. Justices of the Peace.

The charter of Edward IV., reciting that there has been held, before time of memory, a Court of Ancient Demesne within the manor, and that real and mixed actions have been pleaded in that court and not elsewhere, grants to the tenants and inhabitants that they shall not be bound to answer before any justices, judges or commissioners, in any real, personal or mixed actions, arising out of, in, or upon, the lands or tenements held of the manor, in any court than in the court of the manor, before the steward and suitors; and that all actions and suits shall be there proceeded in, according to the custom of the manor. Authority is then given to the steward and suitors to hear and determine, by plaint levied in that court, pleas, debts, accounts, covenants, trespasses, detention of chattels, and all other contracts within the manor arising, though they exceed the sum of 40*s.*, and though any writ come from the King to remove the plea, except only writs of error and false judgment. The court of ancient demesne is held every third Thursday, before the high steward or his deputy, and two of the suitors. The only officer of the court is the clerk (Mr. Tyrrell, of London, solicitor). He has the power of appointing a deputy. The present deputy is Mr. Ward, of Romford, attorney. The duty of the clerk of the court is to keep the records and to enter all the proceedings which take place in the court. He is likewise keeper of the seal of the court, with which all the proceedings are sealed. He does not tax the costs, the high steward performing that duty. Both the clerk and his deputy have been in the habit of practising in the court in their own names. Any attorney of the superior courts at Westminster is permitted to practise in this court, on paying a fee of 2*l.* 2*s.* The number of attornies is not limited. There is a table of costs, which is suspended in the court-room. The costs are framed upon a scale, according to the amount of the sum sought to be recovered. Where a cause under 20*s.* goes to trial, the costs amount to about 4*l.*; where judgment is suffered by default, to about 30*s.* Where the general issue is pleaded, and the case goes to trial, it requires about 12 weeks before judgment can be obtained. The process is by plaint and *capias*, and upon the court-day following that on which the *capias* is returnable, the plaintiff may enter an appearance for the defendant, according to the statute. The proceedings are from court-day to court-day, and nothing is transacted except on those days. There are no written rules of the practice, which is, in general, in conformity with that of the superior courts of common law. The number of actions brought, and executions during the last three years, is as follows:— Courts. Court of Ancient Demesne.

	1830.	1831.	1832.
Actions brought	19	43	45
Executions	1	6	3

Scarcely one case in a year stands for trial. Actions of ejectment have been occasionally brought.

There is a Court of Pie-poudre given by charter; but it is never held. Court of Pie-poudre.

The power of holding Sessions of the Peace is given by the charter of Edward IV., which declares, that the steward of the manor and the justice chosen by the tenants and inhabitants shall have power to inquire of and to determine all and singular articles, as well concerning labourers, &c., and all other things to do and execute, which other justices of the peace may do; so that they do not proceed to the trial of any treason or felony without special warrant. By the charter 1 Eliz. the sessions are directed to be held before the high steward, the deputy steward, and the justice chosen by the tenants and inhabitants, Court of Quarter Sessions.

HAVERING-ATTE-BOWER.

bitants, the latter being of the quorum. In practice, the court tries petty cases only. The sessions are held on the same day as the county sessions. The juries are thus summoned: A list is made out yearly of those who are qualified to serve on juries, viz. tenants and inhabitants possessing 40 *l.* in goods or 10 *l.* in estate. This list is returned to the magistrates, who make such alterations in it as they think proper. From the names in this list, both the grand and petty jurors are summoned. The mode of summoning has never been objected to. The juries are considered to be very respectable. The highest sentence inflicted by the court is two years' imprisonment. There is no instance of their having transported offenders. After conviction the offenders are sent to the county gaol, the liberty paying for their subsistence. The fees, tables of which are settled by the magistrates of the liberty, and hung up in the court-house, are nearly the same as in the county. The expense of a prosecution (exclusive of counsel's fees) is about 3 *l.* 17 *s.* The following is the number of felonies during the last three years:—

	1830.	1831.	1832.
Persons committed	2	6	5
Persons convicted	1	4	3

The following is the number of misdemeanors:—

	1830.	1831.	1832.
Persons committed	1	–	–
Persons convicted	–	3	–

At the last quarter sessions there were no prisoners for trial, and the number of misdemeanors is stated to be diminishing.

Court Leet.

The Court Leet of the manor of Havering-atte-Bower is held annually upon the same day as the quarter sessions, Whitsun Tuesday. It is held before the high steward. The tenants are summoned by the bailiff. In general, 16 or 18 in number are selected by the deputy clerk of the court of ancient demesne, and these alone attend and are sworn upon the leet jury. Their duty is to elect the various officers already mentioned, and to present nuisances, &c. Before the passing of an Inclosure Act, about 25 years since, the leet jury sometimes granted small portions of the waste of the manor to hold to the tenants in severalty. These grants were confirmed by the Inclosure Act.

Petty Sessions.

Petty Sessions are held once a fortnight.

Gaol.

The Gaol is under the Town-hall (which was built a few years since by a liberty rate, with the addition of a grant of 500 *l.* from the Crown.) It contains four cells, clean and well ventilated, but not glazed. There is no day-room and no yard. Offenders are never committed to this place for more than two or three days for examination, &c.; all the prisoners after conviction being sent to the county gaol.

Police.

The high and petty constables are stated to form a sufficient Police for the town of Romford, which is peaceable. This is also the case with the liberty in general.

A local Act was obtained in 1819, entitled, "An Act for paving and otherwise improving the town of Romford, in the liberty of Havering-atte-Bower, in the county of Essex." By this Act commissioners are appointed, and upon a vacancy occurring in their body, it is to be filled up by the rate-payers under the Act. The qualification required for a commissioner is 30 *l.* per annum in lands, being the heir apparent of a person having 60 *l.* per annum in lands, or the possession of personal estate of the value of 500 *l.*, and being rated under the Act at 30 *l.* The commissioners are empowered to provide for the paving, lighting and watering of the town. The paving only extends to the foot-paths, the trustees of the turnpike repairing the roads. The foot-paths are not in a good state, owing to the want of funds raised under the Act. Many years since, Richard Ballard gave certain freehold property to the churchwardens of Romford, in trust to apply the rents and profits in repairing the highways and church paths. These profits amount to about 20 *l.* per annum. The town of Romford is lighted with gas, by contract, under the local Act. Complaints have been made of the insufficiency of the lighting. The number of watchmen appointed by the commissioners is adequate to the protection of the town. The local Act authorizes the trustees to levy a rate, not exceeding in one year the sum of 2*s.* in the pound, in such parts of the town where the footways shall be paved or ordered to be paved by virtue of the Act, upon the tenants or occupiers of houses, buildings, gardens, tenements and other hereditaments and estates which lie within such part, of the yearly value of 8 *l.* or upwards, and which have been usually charged to the relief of the poor. The rate at present raised is to the full extent authorized by the Act, and produces about 300 *l.* per annum.

There are 37 licensed public-houses within the liberty. The number has not been increased for many years. The number of beer shops is 17. They are considered very injurious to the morals and industry of the place, especially as drawing the agricultural labourers away from their work.

Bye-laws.

There are no existing Bye-laws.

Poor.

The corporation take no part in the management of the Poor. There is a local Act (26 Geo. III. c. 28) for the management of the poor, entitled, "An Act for providing a proper Workhouse, and better regulating the Poor within the parish of Romford, in the liberty of Havering-atte-Bower, in the county of Essex."

The

The corporation are not trustees for any Charities, and possess no patronage of any kind. Charities. Patronage, &c.

The corporation have no Revenue. Revenue.

The public expenses are defrayed by a Liberty Rate, made twice a year at the spring and autumn sessions. The following is the amount in the pound since the year 1827: Liberty Rate.

	d.		d.
1827	2½	1831	3½
1828	3½	1832	4
1829	2½	1833	3½
1830	3	1834	3

The amount raised by this rate in the year 1833 was 526*l.* 7*s.*

The expenditure out of the liberty rate for the eight years previous to 1826 was upon the average about 660*l.* For the succeeding eight years it has been on the average about 537 *l.*

The following is a particular account of the expenditure for the year 1833, which may be considered as a fair specimen of the annual expense of the liberty.

The Account of *Thomas Mashiter*, esq. of all Monies received by him for the use of the said liberty.

Income.

	£.	s.	d.
Balance due to the liberty at the last audit	129	19	1
Received of Charles Harvey, high constable, on account of Romford rate	314	14	8
Received of Samuel Benton, high constable, on account of Hornchurch rate	248	11	8
Received of Charles Harvey, high constable, on account of Haveringrate	50	15	–
Received from the overseers of different parishes, for penalties incurred by individuals under the 7th and 8th Geo. IV. c. 30	3	8	6
Received from overseers of different parishes for penalties incurred under the 9th of Geo. IV. c. 31	10	16	6
£.	758	5	5
Balance due to the liberty	271	9	1
£.	486	16	4

Expenditure.

Southey's Account.

	£.	s.	d.	£.	s.	d.
One year's salary	£.54	12	–			
General bill	24	13	7			
				79	5	7
One year's rent of Debtors' prison				10	–	–
Keep of debtor in prison				2	–	6
One year's insurance in Sun Fire Office, to Midsummer 1833				5	12	6
Advertising treasurer's accounts				3	2	–
Bourne, one year's paving rate				1	4	–

Perkins & Gepp, Maintenance of Prisoners.

Ilford gaol	£.83	3	8			
County gaol	1	4	9			
Springfield gaol	79	19	9			
				164	8	2

High Constable for Romford.

General bill	£.14	7	–			
Collecting rate	6	1	9			
				20	8	9

High Constable for Hornchurch.

General bill	£. 7	14	6			
Collecting rate	4	3	4			
				11	17	10

Petty Constables of Romford.

General bills	£.13	14	6			
Coroner's inquests	6	1	–			
				19	15	6

Petty Constables of Hornchurch.

General bills	£.11	9	6			
Coroner's inquests	5	16	6			
				17	6	–

HAVERING-ATTE-BOWER.

Petty Constable of Havering.	£.	s.	d.
General bill	3	7	–
Conveying prisoners to and from Ilford and Chelmsford	31	11	1
Finch, attending weights and measures	2	2	–
The treasurer's allowance	20	–	–
Finch, salary attending Romford Market	6	10	–
Eagles, hat and lace for Finch	1	19	–
Southey, coat and waistcoat for ditto	3	14	8
Bartlett, carpenter's work	1	13	–
Dr. Weld, attending on prisoners	–	4	–
Spicer, for ironmongery	2	6	2
Harvey, for printing	2	5	–
Mr. Hall, glazier and plumber's bill	1	4	7
Marrable, bricklayer's work	1	5	2
Sterry & Co. notices of meeting	4	–	–
Mr. Ward, making Returns to Secretary of State about three weeks' court	1	1	–
Bell, for lighting gas lamp from Lady-day 1832 to Lady-day 1833	4	14	6
Illuminating the court-house	2	10	–
Wasey Sterry, Clerk of the Peace.			
General bill	52	4	10
Coroner's inquests	7	7	–
Postage, witnesses, and sundry contingencies	1	17	4
£.	486	17	2
Balance due to the liberty	271	9	1
£.	758	6	1

The high steward is the treasurer, and keeps the accounts of the rate. No payments are made without an order from the magistrates. The accounts are audited annually by the other magistrates, and are published in the county newspapers.

Fines.

The Fines from the court leet go to the lord of the manor. Fines imposed under the direction of various statutes are carried to the account of the liberty rate.

State and Prospects of the Liberty.

The population of the Liberty of Havering are chiefly engaged in agriculture. There is no particular trade pursued there. Upon the whole, the neighbourhood is stated to be improving. At Romford many new buildings are in progress. The liberty, in common with the rest of the country, has suffered from the increase of pauperism; and, within the last seven years, the poor rates have been nearly doubled.

Remarks.

The functions of the corporation of Havering are confined almost entirely to the administration of justice, civil and criminal, within the liberty. No complaints were brought forward as to the mode in which those duties are performed; observations were, however, made with regard to the appointment of the magistrates. Since the sale by the Crown, a few years ago, of the manorial rights to the present possessor, Hugh Macintosh, esq., the appointment of the high steward has been vested in that gentleman; and it it was remarked upon as a matter of impropriety, that a private individual should have the power of creating a justice of the peace. Indeed none of the three magistrates of the liberty is appointed by the Crown, the deputy steward being selected by the high steward, and the third justice being elected by the tenants and inhabitants. The present deputy steward, Mr. Neave, resides about 30 miles distant from Romford, at Epsom in Surrey, a circumstance which was represented as being undesirable in point of principle, though in the particular case no inconvenience appeared to have been experienced, Mr. Neave regularly attending at the quarter sessions, and likewise at the petty sessions, upon an intimation that his presence would be required.

Though the corporation of Havering is closely connected with the ancient demesne tenure of the manor, yet there appears to be no necessary connexion between them, nor does there seem to be any useful end answered by the existence of the municipal constitution.

London, 24 June 1834. *Henry Roscoe.*

Documents accompanying this Report:

Copy Translation of the Charter of James II.
Copy of the Local Act, 59 Geo. III.
Copy of the Act, 26 Geo. III. c. 28. for providing a Workhouse.

REPORT

ON

THE CORPORATION OF HERTFORD,

(HERTFORDSHIRE.)

CONTENTS.

	Page
Limits	2885
History and Charters	2885
Title	2885
Ruling Body, how formed	2885
Mayor, how elected	2885
Recorder, how elected	2885
Aldermen, how elected	2885
Assistants, how elected	2885
Freemen	2886
Privileges of Freemen	2886
Fees on admission to Office or Freedom	2886
Officers of the Corporation	2886
High Steward, how elected	2886
Mayor, his functions	2886
Salary and Emoluments	2886
Recorder, his functions	2887
Town Clerk, how elected	2887
his duties	2887
his Salary and Emoluments	2887
Chamberlain, how elected	2887
his Duties	2887
Emoluments	2887
Gaoler	2887
Serjeants-at-Mace, how elected	2887
their functions	2887
Salaries, &c.	2887
Fines on refusal to serve Corporate Offices	2887
Courts	2887
Quarter Sessions	2887
Court of Record	2887
Court of Clerk of the Market	2888
Magistrates	2888
Police	2888
Gaol	2888
Juries	2888
Property and Expenditure	2888
Debt	2889
Patronage	2889
Local Acts	2889
General State and Prospects	2890

CORPORATION OF HERTFORD.

THE Limits of the ancient borough of Hertford were considerably extended, for municipal purposes, by the governing charter of the 32 Car. II. 1680. The present boundary is minutely described in that charter, and is sufficiently ascertained, for all practical purposes, by occasional perambulations. The boundary of the borough jurisdiction is about eight miles in extent; the ancient limits, to which the right of voting for Members of Parliament, as far as respects householders, was confined previously to the Reform Act, were much less comprehensive. The boundary line of the new Parliamentary borough is nearly coincident with that of the corporation borough as described in the governing charter. LIMITS.

The borough of Hertford, which, with the manor, forms part of the Duchy of Lancaster, claims to be a corporation by prescription. In an extent of the castle and borough of Hertford, made in the 5th year of the reign of Edward III. (1332) a bailiff, under-bailiff and commonalty of the town of Hertford are mentioned; and in the 19th of Henry VI. (1441) two markets were granted to the "burgesses and tenants of the town and their successors." The earliest formal charter of incorporation now extant was granted in the 1st year of the reign of Mary (1554), by which a corporate body was formed, consisting of a bailiff and not more than 16 burgesses. The next charter in order of time was granted in the 31st year of the reign of Elizabeth (1588), which, after reciting that a corporation had existed there time out of mind, gave the borough a new form of incorporation, composed of a bailiff, 11 capital burgesses, including the bailiff, and 16 assistant burgesses. In the 3d year of the reign of James I. (1604) a new charter was granted, by which the borough was incorporated by the name of "Mayor, Burgesses and Commonalty." The corporation continued to act under the charter of James until the year 1680, when the present governing charter was obtained from the crown. This charter was not granted upon the surrender of former liberties, and having been accepted by the corporation and acted upon ever since, is not affected by the proclamation of James II. for restoring surrendered charters. A copy of the governing charter accompanies this report. History and Charters.

The legal style of the corporation is "The Mayor, Aldermen and Commonalty of the Borough of Hertford." Title.

By the charter of Charles II., 10 aldermen, one of whom was to be chosen mayor, were substituted for the capital burgesses mentioned in the previous charters, and formed, with the mayor and recorder, the common council of the borough for all municipal purposes. Ruling Body, how formed.

The common council are authorized to make bye-laws for the government of the borough, at meetings for that purpose, at which the mayor and the recorder must be present. Sixteen assistants are also chosen, who are to assist the mayor and aldermen in matters of town government when summoned for that purpose.

The component parts of this body are elected in the following manner:—

The Mayor is elected annually, on St. Matthew's day, from among the aldermen. The common council at first assemble alone in their common-hall and nominate two aldermen as candidates for the mayoralty. They then meet the chamberlain and 16 assistants, and by a majority of the whole body, taken together, elect one of the two candidates so nominated as mayor for the ensuing year. In practice, it is usual to elect the junior alderman who has not passed the chair. The system of nomination by the smaller body is not authorized by the charter, but there are traces of its existence in very early times. The mayor is sworn in on the Michaelmas-day next after his election before the recorder or his deputy, the last mayor, and the rest of the aldermen, or as many of them as happen to be present. Mayor, how elected.

The Recorder is elected by the mayor and aldermen, upon the occurrence of a vacancy. He must be approved by the King, and continues in his office during the pleasure of the crown. The only description of his qualification in the charter is that he must be "skilful" in the laws. The recorder may appoint a deputy, who must be "learned" in the laws, and who has, in the absence of his principal, the same corporate duties and authority as the recorder himself. Recorder, how elected.

The Aldermen are elected for life by the mayor and aldermen upon vacancies. No particular qualification is requisite. They are taken from the inhabitant householders of the borough, and not necessarily from the assistants. Aldermen, how elected.

The Assistants are likewise chosen for life by the mayor and aldermen, and are taken from the inhabitant householders. Both the aldermen and assistants are required, in practice, to be resident within the town while they hold their respective offices; but this restriction is not imposed by the charter. Assistants.

Freemen.

Persons may become free of the borough of Hertford by three modes; by purchase, servitude or presentation.

1. The freedom by purchase is obtained by the payment of a sum by way of fine to the corporate fund, the amount of which is wholly discretionary in the corporation. We were informed that the practice had always been, and still is, to determine the amount of the fine by the ability of the party applying for his freedom, and the nature and extent of the trade he proposes to carry on. Within the last 14 years two fines of 25 *l.* were the highest that have been taken; in other cases the sums have varied from 20 *l.* to five guineas, the latter sum having been by far the most usual. The average annual receipts by the corporation from this source, during the last 14 years, have been about 50 *l.*

2. A person may also entitle himself to his freedom by a *bonâ fide* apprenticeship for seven years to a freeman of the borough, under an indenture duly enrolled in the town clerk's office. Proof of actual service as an apprentice is required in order to entitle the party to admission.

3. The corporation have an unrestricted right to admit persons to the freedom for the borough by presentation. This right appears to have been occasionally exercised by conferring the honorary freedom of the borough upon persons distinguished by high rank or political eminence, who happen upon particular occasions to have visited the neighbourhood of Hertford. When a person, not being free, is elected an alderman, the corporation have usually presented him with his freedom. The eldest sons of aldermen are also made free by presentation.

Privileges of Freemen.

The only general Privilege of the Freemen is an exclusive right of carrying on trade within the borough. This privilege is founded upon immemorial usage, and is secured by a series of bye-laws imposing penalties upon non-freemen keeping shops or exercising retail trades within the limits of the town. By the reservation of old rights of voting for Members of Parliament in the Reform Act, such freemen as had been inhabitants of the ancient borough for 40 consecutive days before the time of obtaining their freedom, and had become free before the day limited in the Act, are still entitled to vote at Parliamentary elections. The number of persons registered as voters upon such rights is 238, but the majority of these are qualified to vote as 10 *l.* householders, or under another ancient and reserved right, as inhabitant householders within the old borough.

Fees on admission to office or freedom.

On the admission of each mayor, alderman and assistant, a fee of 9*s.* 6*d.* is paid to the town clerk, and a fee of 2*s.* 6*d.* to the same officer on swearing in justices of the peace. All these fees are paid out of the corporation funds. On admissions to the freedom by purchase or presentation, the total amount paid by the party admitted is 4*l.* 3*s.*, composed of 3*l.* for the stamp duty, 1*l.* 1*s.* to the town clerk, and 2*s.* to the serjeants-at-mace. On freedoms by servitude, the amount paid is 1*l.* 16*s.*, consisting of 1*l.* for the stamp duty, 14*s.* to the town clerk, and 2*s.* to the serjeants-at-mace.

Officers of the Corporation.

The Officers of the corporation are—

A High Steward,
Mayor,
Recorder,
Town Clerk,
Chamberlain,
Gaoler, and
Two Serjeants-at-Mace.

High Steward, how elected.

The High Steward, who is required to be an eminent man (*vir præclarus*), is elected by the mayor, recorder and aldermen; by the charter, the recorder appears to have no voice in this election. This officer, like the recorder, must be approved by the crown upon his election, and holds his situation during the pleasure of the King.

The office is entirely honorary, and no duties or emoluments are attached to it.

Mayor, his functions.

The mode of electing the Mayor has been already described. He is a justice of the peace for the borough, and as such presides in the court of quarter sessions; he is also one of the judges of the court of record, custos rotulorum for the borough, clerk of the market, and, by immemorial usage, returning officer at elections for Members of Parliament. During his illness, or necessary absence from the borough, he has power to appoint one of the aldermen as his deputy. He continues to be a justice of the peace for one year after the expiration of his mayoralty.

Salary and Emoluments.

The mayor has now no Salary or Emoluments. The allowance made towards his official expenses, arising entirely from hospitalities, has varied at different periods. From 1812 to 1827, the allowance was 150 *l.* for his year of office, during which period he was expected to give six large and expensive dinners; from 1827 to 1831, the allowance was 100 guineas; during both these periods, the expenses of the office exceeded the amount of the allowance by upwards of 100 *l.* per annum. Since the year 1831 no allowance has been made, and the mayor defrays the expenses from his own purse.

The

The Recorder is, *ex officio*, one of the justices of the peace for the borough, and is by the charter of the quorum in the sessions of the peace and in the court of record. The present recorder presides at the quarter sessions whenever any prisoners are to be tried. He receives a salary of 4*l.* a year. Recorder, his functions.

The Town Clerk, who must be versed in the laws and a freeman of the borough, is appointed, upon a vacancy, by the mayor, recorder and aldermen. He must be approved by the crown, and holds his office during the King's pleasure. He is authorized to act by deputy, in case of his own inability or upon any lawful occasion, to be approved by the common council. His duties are, to keep the records and muniments of the corporation, to act generally as clerk of the peace and clerk to the borough justices, to attend all courts and meetings of the corporation and enter the minutes of their proceedings. He receives a salary of 10*l.* a year from the corporate funds. His incidental emoluments arise from his professional charges for business done by him as solicitor for the corporation, fees on the admission of freemen and on swearing in corporate officers, and also the usual fees as magistrates' clerk for summonses, warrants and orders. The whole of the receipts of the town clerk, including his salary, amount to about 80*l.* a year. Town Clerk, how elected. His duties. His Salary and Emoluments.

The Chamberlain is elected from among the inhabitants of the town, by the mayor and aldermen, and holds his situation during their pleasure. His duties are, to collect the income of the corporation and to make payments on their account. The ordinary charges on the corporation, such as salaries of officers, rates and taxes, are defrayed by him, without any express order; but the bills for law expenses, repairs and other uncertain heads of expenditure, are submitted by him to the corporation for their allowance, and he has no authority to pay them without an order for that purpose. He renders his accounts annually to the mayor and aldermen. On his appointment he enters into a bond, with two sureties, conditioned for duly accounting to the corporation, when called upon, and paying over to them the balances of monies received by him. Chamberlain, how elected. His duties.

He receives no salary, but is allowed a poundage of 1*s.* in the pound upon the amount of the rents collected by him. On an average of the fourteen last years, it appears that the profits of the office of chamberlain have amounted to 14*l.* 4*s.* 3*d.* per annum. Emoluments.

The mayor is authorized, from time to time, to appoint a Gaoler or Keeper of the prison. In practice, the appointment is an annual one. As the borough prison is nothing more than a ward of the county gaol, it has been found convenient to appoint the same person to be gaoler to both. He is paid for his services by the county, but has no salary or emoluments incidental to his appointment as borough gaoler. Gaoler.

The Serjeants-at-Mace are appointed by the common council, and hold their situations during the pleasure of that body. Their duties are, to execute process in the court of record, and to attend upon the mayor and aldermen. They are also sworn in as constables. Serjeants-at-Mace, how elected. Their functions.

Each of the serjeants-at-mace receives a Salary of 10*l.* a year for his general services. They also receive the following annual payments; namely, 6*l.* each for collecting the tolls and the piccage and stallage; 3*l.* 18*s.* for superintending public-houses; 2*l.* 5*s.* for attending to public-houses on Sundays; and 1*l.* 11*s.* 6*d.* for setting up stalls in the markets. In addition to these payments, they are entitled to some small customary fees on freedoms and on serving process. Upon an average of the last fourteen years, the receipts of the serjeants-at-mace, from all the above-mentioned sources, have not amounted to 25*l.* per annum. Salaries, &c.

The corporation are empowered, by their charters and bye-laws, to impose Fines upon their own members who refuse to serve corporate offices. These fines are now seldom imposed; a fine of 20*l.* imposed on an alderman in 1827 for refusing to serve as mayor, and paid by him, being the only instance of such a fine within the memory of the present officers of the corporation. Fiens on refusal to serve Corporate Offices.

A Court of Quarter Sessions is holden four times a year, before the mayor, recorder, aldermen and justices. At these sessions the presence of the mayor or the recorder, or of the deputy of either of them, is by the charter necessary in order to form a court. In practice, the recorder or his deputy always presides, and is the acting judge of the court. The jurisdiction of this court does not extend to treason, murder, or to any felony or other matter touching the loss of life or limb, and the county magistrates are expressly authorized by the words of the charter to act within the borough. The amount of business is inconsiderable, 14 cases only having been tried in the years 1832 and 1833. All serious cases are transmitted to the county assizes or sessions. The fees of court are precisely the same as those of the county sessions. Courts. Quarter Sessions.

The governing charter enables the corporation to hold a Court of Record every Wednesday, before the mayor or recorder, or either of their respective deputies. This court has cognizance by plaint of all personal causes of action arising within the limits of the borough, in which the debt or damages sought to be recovered do not exceed 60*l.* Formerly much business appears to have been done in this court; but previously to 1782 it had gradually declined, and at that time it fell into total disuse. In 1827 the corporation revived it upon a petition from the inhabitants, stating many advantages to be derived from the active existence Court of Record.

HERTFORD.

of such a court in Hertford. The experiment was readily tried; the court was opened, and as many attornies were admitted as applied for that purpose; but the result did not justify the expectations entertained of its utility. In the year 1828, 23 summonses were issued; in 1830, three; in 1831, five; in 1832, two; and in 1833, three. A jury has only once been summoned since the revival of the court, which was merely to assess damages on a writ of inquiry.

Court of Clerk of the Market.

A Court for the regulation of weights and measures is held once a year within the borough, before the mayor, as Clerk of the Market, and the other justices. A jury of persons, selected by the town clerk from the inhabitants not using weights or measures, is charged and sworn at a sessions specially appointed for that purpose; their duty is to go round the town and carefully to inspect the weights and measures in the shops. They seize such as are defective, and bring them before the mayor and magistrates, in whose presence they are proved. If the deficiency is inconsiderable, the weight or measure is rectified; but if so defective as to be obviously fraudulent, it is destroyed, and the owner is fined at the discretion of the court. No fine, however, is ever imposed above 6 *s.* 8 *d.*

Magistrates.

The Borough Magistrates consist of the mayor, the late mayor and the recorder. The county magistrates, though they have concurrent jurisdiction, do not interfere within the borough. Petty sessions are holden every Wednesday, at which two of the three borough magistrates are regularly in attendance.

Police.

The Police of the town, which is undoubtedly insufficient, is under the control of the mayor and magistrates. The whole force consists of the two serjeants at mace, seven constables, named and sworn in the ordinary manner by the parishes, two watchmen and two patroles appointed by the commissioners under the local Acts for paving, watching and lighting the town of Hertford.

Gaol.

There is no separate Gaol appropriated to the borough; but under an arrangement with the county magistrates, one ward in the county gaol, which adjoins the town, is exclusively used for borough prisoners. This ward is nominally under the control of the corporation; but the practical management of the whole gaol, including this ward, rests with the visiting magistrates of the county. The whole expenses of the gaol are paid out of the county rate.

Juries.

The Grand Juries are nominated by the town clerk from the wealthier class of inhabitants. The Petty Juries, in criminal cases, are chosen from the tradesmen of the town, care being taken that each qualified person serves once in the year. When a jury is required in the court of record, the serjeant at mace summons indiscriminately as many respectable tradesmen as are requisite.

Property and Expenditure.

The Property of the corporation consists of houses and land, quit rents or ground rents for small encroachments on the waste, the butchers' market, built by the corporation with their own funds in 1781, tolls and stallage at the fairs and markets, and the water works in Great Hartham, which supply the town with water. Their ordinary income is derived from this property, and also from fines on freedom, and a small payment of 1 *s.* per head for every horse or cow agisted in Hartham meadow by the commoners. Their extraordinary income arises principally from fines on the granting or renewal of leases of the corporate buildings and land.

The following Tables will show, under the different heads, the ordinary and extraordinary annual receipts, and also the annual expenditure of the corporation, upon an average of the last 14 years.

ORDINARY RECEIPTS.

	£.	s.	d.
Rents of houses, &c.	92	–	–
Quit-rents	6	3	6
Rents of the butchers' market	23	15	6
Fines on freedoms	51	11	8
Sale of corn	49	4	5
Ditto of cattle and fairs	20	5	10
Stallage	74	15	11
Water rent	143	2	8
Agistment fees for Hartham	5	18	8
Fines on corporate officers	1	9	1
	468	7	3

EXTRAORDINARY RECEIPTS.

Fines on leases and renewals, and other small payments	82	1	–
Total Receipts of the corporation £.	550	8	3

EXPENDITURE.

Expenditure.	£.	s.	d.
Allowance to the mayor and salaries of officers	224	5	3
Repairs of buildings,* water works, &c.	101	3	3
Law expenses	77	14	5
Rates and taxes	96	7	11
Interest of debt	19	6	5
Constables	12	18	9
Printing and stamps	11	13	1
Quit rents	3	7	2
Miscellaneous expenses, consisting of pensions, insurance, subscriptions to charities, fees to the crown on approbation of the election of officers, fees to chaplain and other small payments	53	16	1
£.	600	12	4

Upon these tables it must be remarked, that the average of 14 years does not exhibit an accurate statement of the present receipts or expenditure of the corporation. In some particulars the income has much fallen off since the commencement of that period; for instance, in consequence of the discontinuance of the practice of pitching grain for sale in bulk in the market, and the introduction of selling by sample, the toll of corn, which in 1820 amounted to 109*l.* 17*s.* was in the last year only 21*l.* 6*s.* The profits of the butchers' market and the tolls of cattle have also been reduced within the last 14 years fully 50 per cent. As there is no compensating improvement in the other sources of income, the present receipts of the corporation do not exceed 480*l.* per annum. On the other hand, some parts of the expenditure have been greatly reduced or entirely saved; thus the allowance to the mayor, which from 1820 to 1826 was 150*l.* per annum, and from 1826 to 1831, 105*l.* per annum, has been now wholly discontinued. The miscellaneous expenses have also been very considerably diminished. Independently, therefore, of the heavy charge of the chancery suit in which the corporation are now involved, it may be taken that their income is at least equal to their ordinary expenditure.

Debt.

The only debt to which the corporation are liable is a sum of 500*l.* secured by a mortgage of the butchers' market. This money was borrowed in the year 1831, to pay off the balance then remaining due on several bond debts, amounting originally to 800*l.*, contracted in previous years to meet an excess of expenditure above the income. The first part of this debt, consisting of a sum of 200*l.* was contracted in 1820, to defray the expense of repairs, amounting in that year to nearly 300*l.*, and subscriptions to certain charities exceeding 60*l.* A further sum of 300*l.* was borrowed in 1823 to discharge the arrears due to two aldermen for their allowances during their respective mayoralties. The residue of the debt of 800*l.* was contracted in 1829, and consisted of a sum of 300*l.* borrowed to pay the damages and costs in an action brought against the mayor for that year, in consequence of a mistake committed by him under the advice of the then town clerk. Of this debt the sum of 300*l.* was paid off previously to 1831.

It must be remarked, upon a review of the income and expenditure of the corporation, that though the revenues do not fall far short of 500*l.* a year, a very small part of them appear to have been expended upon objects of a public nature, or which confer any substantial advantage upon the inhabitants of the town. No considerable street improvements, no gaol, no watching, paving or lighting, and only a very imperfect police are paid for or maintained by the corporate funds. On the other hand, more than one-fourth part of the whole income of the corporation was for many years given to the mayor for the express purpose of being spent by him in hospitalities and entertainments.

In granting leases of the corporate property, we could not perceive any improvidence or partiality in the conduct of the corporation. On the falling in of old leases, the renewals appear of late years to have been always granted by auction, upon a fair competition; and no corporate houses or land have been held by members of the corporation during the last 16 years.

Patronage.

The corporation possess no ecclesiastical patronage of any kind. The mayor, high steward, recorder, aldermen and town clerk are governors of a small endowed school at Hertford, called the Green Coat School, and nominations to that institution are made by the governors in rotation. The corporation have also the right of presenting one boy to Christ's Hospital. The mayor and nine chief burgesses are governors of a free-school, called Hale's Grammar School; their only patronage, however, connected with this foundation, is the right to appoint a schoolmaster in case of the occurrence of a vacancy during the minority of the heir at law of the founder.

Local Acts.

The only Local Acts relating to the town of Hertford are the 28 George III. c. 75, intituled, "An Act for paving the Footways, and cleansing, lighting and watching the Streets and other Public Passages and Places within the borough of Hertford, and removing and preventing Obstructions, Nuisances and Annoyances therein;" and an Act of the 9 George IV. c. xxxviii. passed to amend and extend the provisions of the former Act.

The

* By an Act of Parliament passed in 1768 for rebuilding the Shire-house of the town of Hertford, one-third of the expense of repairing that building is imposed on the corporation.

HERTFORD.
General State and Prospects.

The town of Hertford appears to be improving in wealth and general prosperity. No peculiar manufacture is carried on there, but the retail trade and the number of inhabitants are increasing, and the buildings and streets of the town are said to have been much improved. The corporation is unpopular and is regarded with suspicion, especially amongst the lower class of the inhabitants; but this circumstance is to be attributed rather to the adherence of the members of the corporation to a political party, than to any misconduct or partiality in their municipal government. At the present moment this feeling is aggravated by an unusual degree of excitement caused by the two last elections for Members of Parliament, and by the pendency of a chancery suit against the corporation, in which the less wealthy inhabitants of the borough conceive their interests to be materially involved. As this suit is at present in a course of litigation, we conceived that we were not authorized to inquire into its particular merits.

David Jardine.
Henry Roscoe.

London, Feb. 22, 1834.

REPORT

ON

THE CORPORATION OF KINGSTON-UPON-THAMES.

(SURREY.)

CONTENTS.

	Page.
1. Limits	2892
Limits of the Town	2892
Manor	2892
Hundred of Kingston	2892
Hundreds of Elmbridge, Copthorne and Effingham	2892
Extreme Limits	2892
Tabular View of Jurisdiction	2892
2. Charters	2893
Domesday Book	2893
Ancient Charters	2893
Principal Charter	2894
Surrender of Charters	2894
3. Corporate Body	2895
Title	2895
Members	2895
Bailiffs	2895
High Steward	2895
Recorder	2895
Gownsmen and Peers	2895
Fifteens	2895
Freemen	2895
Governing Body, or Court of Assembly	2895
Election of Members	2895
Functions and Privileges of Ditto	2896
Functions of Court of Assembly	2896
Officers of the Corporation	2897
Steward of the Court	2897
Town Clerk	2897
Coroners	2897
Bridge Wardens	2897
School Wardens	2897
Ale Conners	2897
Chamberlains	2897
Collector of Rents and Tolls	2897
Serjeants at Mace	2897
Hall-keeper	2898
Macebearers	2898
4. Guild Merchant	2898
Constitutions	2898
Companies	2898
Wardens	2898
Clerk	2898
Freemen of the Companies	2898
Foreigners	2898
5. Jurisdiction, Criminal and Civil	2899
Return of Writs	2899
Magistrates	2899
Courts	2899
Sessions of the Peace	2899
Petty Sessions	2899
Hundred Court	2900
Court of Record	2900
Court Leet	2900
Law Day	2900
Court Baron	2900
Court of Pie Powder	2900
Juries	2900
Gaol	2901
Police	2901
6. Local Administration	2901
Lighting and Watching	2901
Paving	2902
Bridge Trust	2902
7. Revenues	2902
Accounts	2902
1° Property of the Corporation	2902
2° Disbursements	2903
Alienations	2903
8. Patronage	2903
9. State of the Town	2904
10. General Remarks	2905
11. List of Documents accompanying this Report	2905
Local Acts.	

CORPORATION OF KINGSTON-UPON-THAMES.

1. LIMITS:

The town of Kingston-upon-Thames is situate within the manor of the same name. The manor is situate within the hundred of Kingston.

Limits of the Town.

The boundaries of the Town, in the ordinary use of the word, are not ascertained; nor does it seem that any peculiar jurisdiction is exercised by the corporation there.

The freemen of the town, to whom the charters are granted, are selected from the free tenants of the manor; and (except the liberty of exclusive trading within the town) whatever liberties are enjoyed within the town are enjoyed throughout the manor.

Of the Manor.

The boundaries of the Manor are well known. They were perambulated every year, until the minute printed description made and published by the Commissioners under an Act for inclosing waste lands within the manor of Kingston and Imworth, rendered the yearly perambulation unnecessary.

The manor contains the town of Kingston; hamlet of Hook; parish of Long Ditton; hamlet of Cleygate; liberty of Combe Neville; parish of Petersham; mesne manors of Ham, or Ham and Hatch, and Kingston-Canonbury.

The hamlet of Hook includes the mesne manor of Berewell Court; the parish of Long Ditton includes the hamlet of Talworth; and Cleygate is a hamlet of the parish of Thames Ditton.

Hundred of Kingston.

Besides the liberties enjoyed by the corporation within the manor, they enjoy certain other privileges and jurisdictions in the Hundred of Kingston.

This hundred contains, besides the manor of Kingston-upon-Thames, the parishes of Maldon, Richmond and Kew, a district called Ditton Marsh, and part of the parish of Thames Ditton.

The limits of the several districts, not described as parishes, in the manor and hundred, in no instance coincide with parochial boundaries. Ham and Hook are the only districts maintaining their own poor.

The present parish of Kingston-upon-Thames includes Ham and Hook, and the town of Kingston; but there are separate overseers for the town.

The hamlet of Surpeton, or Surbiton, mentioned in the Charter of James 1st, and the hamlet of Norbiton, are now integral parts of the town of Kingston.

Hundreds of Elmbridge, Copthorne and Effingham.

The corporation further enjoy and exercise certain privileges and jurisdictions throughout the hundreds of Elmbridge, Copthorne, and Effingham.

Extreme Limits.

Hence, their jurisdictions and privileges extend, in a greater or less degree, throughout the four hundreds of Kingston, Elmbridge, Copthorne and Effingham, forming a large division of the county of Surrey.

Tabular View of the Jurisdiction.

It is believed that the following table contains a complete description of the jurisdictions and privileges of the corporation as exercised and enjoyed in any parts of the four hundreds above mentioned.

Tabular View of the places and districts wherein the undermentioned liberties, privileges and jurisdictions are actually exercised and enjoyed by the bailiffs and freemen of Kingston-upon-Thames:—

1. Court of record and return of writs	throughout the hundreds of	Kingston, Elmbridge, Copthorne and Effingham.
2. Office of coroner, clerk of the market, grant of fines and amerciaments, &c.	throughout the hundreds of	Kingston and Elmbridge.
3. Criminal jurisdiction, and office of justice of the peace	throughout the hundred of	Kingston, except Richmond and Kew.
4. Appointment of constables	throughout the hundred of	Kingston, except Richmond, Kew, Petersham, manors of Ham and Kingston-Canonbury.
*5. Court leet and court baron	throughout the manor of	Kingston-upon-Thames, except as last excepted.
6. Guild merchant	throughout the town of	Kingston-upon-Thames.

7. It seems that certain persons have been from time to time elected into the corporation, in right of their tenements in the mesne manors of Ham and Kingston-Canonbury.

Owing

* It seems highly probable that the manor formerly extended throughout the hundred. In an ancient roll of the court leet and view of frankpledge, held 11 Henry 6, the jury present all matters within Maldon and Thames Ditton, in the same manner as within the parishes and hamlets of the manor.

KINGSTON-UPON-THAMES.

Owing to the great complexity of boundary and jurisdiction, considerable doubt exists amongst those who are best acquainted with the subject, both as to the limits of the several districts throughout the hundred of Kingston, and the exact extent of jurisdiction which the corporation are entitled to exercise in those districts.

The foregoing table was framed with the assistance of those best acquainted with the boundaries of the manor and hundred, as well as with the jurisdiction and privileges actually enjoyed.

2. CHARTERS

It appears from Domesday, under the title *Terra Regis in Com. Surr.* that "the King held Chingestune in demesne. It had been of the firm of King Edward, &c." Domesday.

1 John. Grant of Vill

The first charter granted to this town bears date 26 April 1199. By that charter King John "granted to the freemen of Kingston that they should hold the said Vill of Kingston with its appurtenances in fee-farm of him and his heirs for ever, paying 12 *l.* per annum over and above the firm *theretofore due*;" which was 28 *l.* 10 *s.* blanc, or 29 *l.* 18 *s.* 6 *d.* by tale.

This charter is not now in the possession of the corporation.

10 John.

By a charter dated 23d September 1208, in the tenth year of his reign, the same King confirmed to the freemen of Kingston the Vill, &c. in fee-farm, "with all the liberties and free customs which the said town was accustomed and ought to have at the time in which it was in the King's own hands;" paying the yearly sum of 50 *l.* in silver, whereof 28 *l.* 10 *s.* being the ancient firm in blanc, and the rest in tale.

40 Hen. 3, 10 September.

The next charter was granted by Henry 3d, and bears date 10 September 1256, in the fortieth year of his reign. By this charter was granted to the "freemen of Kingston," and their heirs, freedom from arrest, "throughout all our land and power," of their persons and goods, on account of any debt for which they were not sureties or principal debtors, unless the debtors were of their own community and able to make satisfaction, and the said freemen were wanting in justice to the creditors.

40 Hen. 3, 12 September. Fair.

Two days afterwards the same King granted by charter to the freemen of Kingston a yearly fair on the morrow of All Souls, and seven days following, with all usual liberties and free customs.

40 Hen. 3, 13 September. Return of Writs.

And on the day following the same King, by a third charter, granted to the said freemen (amongst other things) the Return of all Writs from the Exchequer and all other writs touching their town:

Coroners.

The power to choose Coroners from themselves for the town:

That they should not be impleaded without their town of any tenements or chattels within the same, without the King's writ:

Guild Merchant.

That they should have *their Guild Merchant* in their town, as they formerly had it, and as the men of Guildford, had, together with other their liberties, just laws and customs, theretofore enjoyed.

16 Edw. 3.

This charter was confirmed by a charter of Edward 3d, dated 31st January, in the 16th year of his reign.

25 Edw. 3. Fair.

By a lost charter of 1st June 1351, the same King ordered that the Fair holden on Thursday in Whitsun week, should be continued seven days longer.

1 Ric. 2. Confirmation.

King Richard the 2d, by a charter dated 22d April, in the first year of his reign, confirmed the above charter, and the second charter of John;

1 Hen. 4. Confirmation.

Which charters were again confirmed by Henry 4th, by charter dated 29th May, in the first year of his reign.

1 Hen. 5. Release of Rent.

King Henry 5th, by charter dated 21st November, in the first year of his reign, after confirming all former charters, released to the freemen of Kingston 24 *l.* of the Rent reserved in the second charter of John; and confirmed the vill and liberties aforesaid to the said freemen, at the yearly rent of 26 *l.* only.

8 Hen. 5. Confirmation.

This charter was confirmed by the same King, 1st March 1421, in the eighth year of his reign; but the fee-farm was called 26 *l.* 6 *s.* 8 *d.* This charter is not extant amongst the records of the corporation.

19 Hen. 6. Body Corporate. Bailiffs. Title. Common Seal.

King Henry 6th by charter (also missing) dated 18th March 1441, in the 19th year of his reign, granted to "the freemen of Kingston that they should be one body in right and name, and one commonalty corporate for ever, of two bailiffs of the said town, and the freemen of the same, by the name of 'The Bailiffs and Freemen of the Town of Kingston-upon-Thames,'" and that they should have a Common Seal.

Clerk of the Market.

He also granted that they should have a Clerk of the Market.

27 Hen. 6. Custody of the Bridge.

By charter dated 2d February, in the 27th year of his reign, the same King granted to the bailiffs of Kingston the Custody of the Bridge, and a toll for 51 years, towards the repair of the bridge.

20 Edw. 4.

Edward 4th, by charter dated 26th February 1480–81, in the 20th year of his reign, recites and confirms the second charter of John, the third charter of Henry 3d, the first

KINGSTON-UPON-THAMES.

charter of Henry 5th, and the first charter of Henry 6th. He further recites that by virtue of the charter of John, the freemen were accustomed to have a Court on every Saturday before the bailiffs and steward, with power to determine all personal matters whatever,

Court of Record.

according to the common law, and also had, "within the town and liberty the demesne of the said town and hundred of Kingston and Elmbrigge immemorially appertaining thereto,"

Escheats.

all kinds of Escheats, &c.

Title.

He then grants and confirms to the freemen, by the name of "the Bailiffs and Freemen of the Town of Kyngeston-upon-Thames, in the county of Surry," the weekly court and

Serjeants at Mace

escheats above-mentioned; and further grants them to have one or two Serjeants at Mace.

9 Hen. 7. Confirmation.

The charter of Edward 4th was confirmed by a charter of Henry 7th, dated 10th July, in the 9th year of his reign; which charter was confirmed by another of Henry 8th, dated

1 Hen. 8. Confirmation.

12th March, in the first year of his reign.

33 Hen. 8. Further Release of Rent.

The same King, by warrant enrolled in the Court of Augmentation, and dated 28th December 1541, in the 33d year of his reign, commanded the treasurer of that court to deduct from the fee-farm of the town all such sums of money as were payable to the bailiffs and freemen out of any hereditaments that came into the possession of the Crown. These sums amounted to 10 *l.* 19 *s.* 6 *d.*; leaving a rent thenceforth payable of 15 *l.* 17 *s.* 2 *d.*

1 Edw. 6. Confirmation.

Edward 6th, by charter dated 24th April, in the first year of his reign, confirmed the charter of Henry 8th.

2 & 3 Ph. & Mary. Fair.

This charter was also confirmed by another of 2 & 3 Philip & Mary, dated 25th March 1556. A third Fair on the day and morrow of St. Mary Magdalen was granted by this

Fish-wear.

Queen; and also liberty to erect a "fysshe-ware" in the Thames, free of rent; so as the "farre-waye," or navigation of the river, was not obstructed.

1 Eliz. Confirmation.

Queen Elizabeth, by charter dated 7th May 1559, in the first year of her reign, confirmed the charter of Philip & Mary.

34 Eliz.

In confirmation of the privileges of the townsmen, as tenants in ancient demesne, Queen Elizabeth, by her precept bearing date 5th August 1592, in the 34th year of her reign, and directed to all justices, sheriffs, &c., reciting that "the demesne of Kyngeston and Emley-

Exemption from Toll.

bridge is of the ancient demesne of the Crown of England, whereby the men and tenants

Knights' Fees, and Service on Juries.

thereof are quit from the payment of Toll throughout the realm, and from the contribution of the expense of Knights coming to the Parliament, and ought not to be put upon any Assizes, Juries or Recognizances, unless in the courts of such manors," commands accordingly.

1 James 1.

James 1st, by charter dated 17th November 1603, in the first year of the reign, granted,

Court of Assembly.

That the bailiffs and freemen, or the major part of them, the bailiffs being two, may, as often as shall be fit and necessary, hold a Court or Assembly at the guildhall, for the public business and government of the town; with power to make reasonable bye-laws:

Court of Record.

That the weekly Court (in the absence of the steward) be held before the bailiffs and recorder, or two of them, for the determination of all personal matters arising within the town and its precincts, and the hundred of Kingston and Elmbridge:

Justices.

That the bailiffs, steward and recorder be Justices of the peace within the town and its precincts, and within the hamlets of Surpeton, Ham and Hatch; with power to inquire of,

Gaol.

hear and determine all felonies, causes and articles, in as ample a manner as the justices for the county of Surrey; and that the corporation have a Gaol within the town (as it appears they had so early as the time of Richard 2d):

Saturday Market.

And that they may hold a weekly market on Saturdays, and receive the tolls of the same.

4 Charles 1. *Principal Charter.*

The Principal Charter of this town was granted by Charles 1st, in the fourth year of his reign, and bears date 13th December 1629. This charter, after reciting at length all the liberties and privileges granted by the King's predecessors, confirms all prior grants, and

Election of Freemen and Officers.

ordains that *the Freemen and corporate Officers*, for whose election no mode was prescribed in the former charters, *shall be elected according to ancient custom.*

The office of high steward is first mentioned in this charter; but all the other offices now in use are recited as then existing.

The town is now governed, and all elections are made, according to the provisions of this charter.

Hundreds of Copthorne and Effingham; in exchange for Richmond, &c.

By this charter, the jurisdiction of the court of record and liberty for the return and execution of writs, was extended throughout the hundreds of Copthorne and Effingham, on condition that the corporation should release to the Crown that part of the jurisdiction of their ancient court leet and view of frankpledge being within the manor of Richmond, and hamlet of Richmond and Kew, and Petersham, and the manor of Ham appurtenant to the manor of Richmond. This jurisdiction was accordingly released by the bailiffs and freemen.

13 Charles 2. Wednesday Market.

By charter, dated 13th May 1662, in the 13th year of his reign, Charles 2d granted a market, to be held on Wednesday, with the tolls of the same.

Surrender of the Charters.

A resolution is entered in the order-book, dated 27th November 1684, that the corporation should surrender their Charters and privileges. They were accordingly surrendered under the

KINGSTON-UPON-THAMES.

the common seal on 10th January 1685, to Charles 2d. The King dying in a month after, a like surrender to King James 2d was sealed on 18th June 1685. That King, by his letters patent, dated 28th August 1685, incorporated the burgesses again by the title of Mayor, Aldermen and Burgesses, with a power reserved to the Crown of removing the corporate officers from time to time, by writ of privy seal. 1 James 2.

It does not appear that these surrenders were enrolled; but the new charter was acted upon until the proclamation for restoring corporations to their ancient charters, when the surrenders were cancelled, and the old corporation revived.

3. CORPORATE BODY.

The Corporate Body consists of the bailiffs and freemen.

Title.

They are styled "The Bailiffs and Freemen of the Town of Kingston-upon-Thames, in the County of Surry."

Members.

The Members of the corporate body are,

The two Bailiffs.
High Steward.
Recorder.
Gownsmen and Peers; and,
Fifteens.

These officers are all, and the only, Freemen of the town.

Governing Body, or Court of Assembly.

The Governing Body consists of all the members of the corporate body, and is styled "The Court of Assembly."

Election of Members of the Corporate Body.

The Members of the Corporation are thus elected:

Of Bailiffs.

The Bailiffs are elected on the Sunday (now, by statute, on the Saturday or Monday) before Michaelmas, which is the charter-day.

The fifteens, or eight of them, nominate four gownsmen or peers, from whom the bailiffs for the time being, with the recorder and high steward, select one; the rest of the gownsmen and peers present, by a mere majority, select another, to be bailiffs for the year ensuing.

The high-steward is never present at the election.

In the election of the four nominees, the fifteens meet in their own room, where candidates are proposed. When proposed, their names are written upon a sheet of paper, which is placed apart in the room. Each fifteen goes alone to the paper, and gives his vote by scratching the name of one of the candidates with a pen; a form of the vote by ballot. This mode of voting has existed for at least 300 years.

The bailiffs are removable for misconduct; but there is no modern instance of amotion.

A bailiff elect is liable to a fine of 30*l.*, for refusing to accept the office. This fine is exacted, unless upon reasonable excuse.

Of the High Steward.

The High Steward is elected for life at a court of assembly. No qualification is requisite, and the office is usually filled by some person of rank or influence.

Of the Recorder.

The Recorder is also elected at a court of assembly. He is required to be "skilful in the laws," and is in practice a barrister-at-law. He is liable to amotion for misconduct, but there is no modern instance of removal.

Of the Gownsmen.

The Gownsmen are peers who have served the office of bailiff.

Of the Peers.

The Peers are persons who have been members of the body of fifteens, from which body two are annually voted out.

Of the Fifteens.

The Fifteens are so called from their number. On the charter-day in every year, two of the fifteens go out and become peers. They are voted out by a majority of eight, and their places are filled in the same way, from amongst the free tenants of the manor. Both votes are taken by ballot. The annual election of the new members is called the election of Ale-conners, the newly-chosen fifteens being immediately appointed to that office. Upon other vacancies, the fifteens fill up their body by a similar vote, from among the free tenants of the manor.

The ale-conners are liable to a fine of 15*l.* for refusing office. This fine has not been exacted in modern times.

The Freemen.

By the charter of Charles 1st, it is granted that "the Freemen then being, and so many and such others as thenceforth, according to the custom and usage in the same place theretofore used and approved of, should be elected from time to time from the free tenants of the manor of Kingston-upon-Thames unto the freemen of the said town, shall be freemen thereof, as theretofore was anciently the usage of the same place." And further, "that it shall be lawful for the freemen at their pleasure to elect from the free tenants of the manor as many and such freemen of the said town as shall seem necessary to them," and to fine them who refuse to accept their freedom.

The high steward and recorder are believed to become free by virtue of their office. They have always been considered as members of the court of assembly, whether free tenants of the manor or not, and sworn in as freemen.

The elections of freemen have always been confined to the annual election of ale-conners, so that the court of assembly comprises all the members of the corporation.

KINGSTON-UPON-THAMES.

The present number of freemen, *i.e.* of members of the corporation, is 57.

The number of free tenements of the manor is 503, and of free tenants, 273.

Functions, Privileges, &c. of Members of the Corporate Body.

The Functions, Privileges and Emoluments of the members of the corporate body are as follows:

the Bailiffs.

The Bailiffs preside and vote at the courts of assembly, which cannot be held in their absence. They are justices of the peace during their year of office and the following year, and in that capacity they hold sessions of the peace and petty sessions. They are judges of the court of record, and preside at the court baron.

They are clerks of the market in the town and hundreds of Kingston and Elmbridge.

They elect, with the recorder, one of the bailiffs from the four nominees of the fifteens. They appoint the counsel and attornies of the court of record. They have the custody of the gaol, and appoint the gaoler.

They are the distributors of certain charities. (*See* "PATRONAGE.")

They formerly received the tolls of the markets and fairs, which are let for 150*l.* a year. In 1826, however, it was ordered by the court of assembly that a sum of 50*l.* and no more should be paid to the bailiffs for those tolls.

They receive two-fifths of the revenues of the aytes and towing-path, amounting to 82*l.*; the quit-rents of the manor, amounting to 30*l.*; about 8*l.* a year, the amount of a fee of 4*s.* on every judgment in the court of record; and fees for the use of the corporation seal.

The whole amount divided equally between these officers is about 170*l.* per annum.

The bailiffs are expected to give three dinners in the year to the neighbouring gentlemen, and members of the corporation. They are also expected to contribute to all public subscriptions.

The expenses of the office are said to exceed the profits.

Of the High Steward.

The High Steward is entitled to act as a member of the court of assembly, as a justice of the peace, and to vote in the election of one of the bailiffs. He never acts, and in practice the office is merely honorary.

He is entitled to 18 sugar loaves every year. These are worth about 9*l.*, and are usually distributed in charity.

Of the Recorder.

The Recorder is a member of the court of assembly. He is a justice of the peace, and presides at the sessions. He presides also at the court of record upon trial days; and is steward of the court leet.

He attends at the elections on charter days.

He receives a salary of 26*l.* 5*s.*, and 18 sugar loaves, per annum.

Of the Gownsmen and Peers.

The Gownsmen and Peers, as freemen, are members of the court of assembly.

They are solely eligible to the office of bailiffs.

They act as homagers at the court baron, and occasionally as grand jurors at the sessions.

Of the Fifteens.

The Fifteens, as freemen, are members of the court of assembly.

They elect the four nominees for the office of bailiff, and almost all the other officers and servants of the corporation.

They elect the freemen and members of their own body by the yearly election of ale-conners.

They are summoned and act as the grand jury at the sessions, and as the jury at the court leet.

They are all of them headboroughs or constables, and are liable to serve throughout the hundred of Kingston during the whole time of their office.

Of the Freemen.

The bailiffs, gownsmen, peers and fifteens, in their character of Freemen, are exempt from serving as jurors except in the courts within the manor, and from payment of toll throughout the realm.

These privileges extend to all the free tenants in the manor, as tenants in ancient demesne, although none but the freemen have in practice enjoyed the former, and none at all have claimed the latter privilege.

The members of the corporation, as freemen, are also entitled to the freedom of the guild merchant of the town.

They and all the free tenants were probably entitled in ancient times to vote in the election of two Members of Parliament; for it appears that the town was so represented in five Parliaments during the reigns of Edward 2d and Edward 3d. (Prynne's Register of Parl. Writs, Part. IV. p. 1020.)

Of the Court of Assembly.

The Court of Assembly have the control and management of the general affairs and property of the corporation, and make bye-laws and orders for the general government of the town, and of the guild merchant.

They meet when occasion requires, and vote by a majority of members present, who must be fifteen at the least.

The whole number of their members is 57; viz. the bailiffs, high steward, recorder, 16 gownsmen, 22 peers, and the fifteens. The meetings usually consist of 15 or 20.

The

KINGSTON-UPON-THAMES.

Officers of the Corporation.

The following are officers of the corporation;—

The Steward of the Court.
Town-clerk.
Two Coroners.
Two Bridge Wardens.
Two School Wardens.
Two Ale-conners.
Two Chamberlains.
Collector of Rents and Tolls.
Three Serjeants at Mace.
Hall-keeper.
Two Mace-bearers.

The corporation formerly appointed numerous subordinate officers, such as under-bailiffs, searchers of markets, weighers of flesh, &c., whose offices have fallen into disuse.

The Steward of the Court.

The King's attorney-general for the time being is, *virtute officii*, Steward of the Court of this corporation.

This officer is one of the judges of the Court of Record.

The duties of the office are never performed by the attorney-general.

He receives every year 18 sugar loaves and two guineas; of which one guinea is repaid to the messenger of the corporation. A fee of 5 *s.* is also paid to the steward's clerk.

The Town-clerk.

The Town-clerk is elected for life by the court of assembly. No qualification is required; but he is usually a freeman.

The present town-clerk is now a peer.

He is the law adviser of the corporation. He is clerk of the peace, and prothonotary of the court of record and clerk of the court baron and court leet.

He is always appointed clerk of the magistrates, and solicitor and attorney for the corporation.

He is also, by custom, always chosen as the senior coroner.

He attends all meetings of the corporation, whether at courts of assembly or otherwise, and records their proceedings.

He has no salary; his fees, as clerk of the peace, and of the court baron and court leet, are very trifling. His fees as prothonotary are about 50 *l.* or 60 *l.* a year; as clerk of the magistrates 25 *l.* or 30 *l.*; as coroner, about 20 *l.* His general yearly bill amounts to about 80 *l.*

The whole profits of the office do not amount to 200 *l.* a year.

The Coroners.

The two Coroners are nominally elected for a year, by the fifteens, on the charter day.

Their office is exercised throughout the hundreds of Kingston and Elmbridge; although the coroner for the County of Surrey appears to act concurrently with the corporation coroners in the latter hundred.

In practice the town-clerk, as above stated, is always appointed to be senior, and the junior bailiff to be junior coroner.

The junior coroner does not act; and the office of senior coroner is in practice an appendage to the town-clerkship.

The Bridge Wardens.

The two Bridge Wardens are elected every year, from the members of the corporation, to survey the state of the bridge. They have little duty, and no emolument.

The School Wardens.

The two School Wardens are elected in like manner. Their duty is to visit and superintend the school. They have no emolument.

The Ale-conners.

The two new fifteens are always appointed Ale-conners for the year. Their election is described above.

These officers no longer perform the functions indicated by their name. They act, however, as searchers of weights and measures, and examiners of meat and other articles, at the weekly markets.

They are liable to a fine for non-acceptance of office. (*See* "Election of Fifteens.")

The Chamberlains.

The two Chamberlains are elected, for a year, by the fifteens, on the charter day. No qualification is required; but they are always taken from amongst the fifteens, and are frequently continued in office for several successive years.

Their duty is to receive the regular rental of the corporation, to make payments, and keep the accounts.

In practice, the office has hitherto been executed by the senior chamberlain, the junior only signing the accounts.

The present senior chamberlain, however, keeps his banker's account and transacts all other business in both names.

The chamberlains have no salary or emolument.

The Collector of Rents and Tolls.

A Collector of Rents is appointed by the court of assembly; he has a commission of 2 per cent. on the money collected, and 10 per cent. on the collection of quit-rents.

The Serjeants at-Mace.

Three Serjeants-at-Mace are appointed by the court of assembly during pleasure. They execute the process of the court of record.

KINGSTON-UPON-THAMES.

Their fees of office amount upon an average to about 30*l.* each. One of them is also gaoler.

The Hall-keeper.

A Hall-keeper is appointed during pleasure by the court of assembly. He is the general attendant upon that court, and all corporation meetings; and serves notices of attendance, &c. He has a coat and hat every year, and a salary of 20*l.*

The Mace-bearers.

Two Mace-bearers are appointed during pleasure by the court of assembly, to bear maces before the bailiffs, with a salary of 5*l.* a year.

4. The Guild Merchant.

By the third charter of Henry 3d, it was granted to the bailiffs and freemen "that they should have their Guild Merchant in their town, as they formerly had it, and as the men of Guildford had."

Constitutions.

There is no record of the state and government of the companies of trades within the town before the reign of Elizabeth; but at a court of assembly holden the 28th March 1635, 6 Charles 1st, a body of orders and constitutions was made for the regulation of the companies, which are stated to be the same in effect and substance as certain orders and constitutions made in October 1579. The constitutions of 1635 were allowed by two judges of the courts of Westminster, and are in force at the present time.

Companies.

By these constitutions it was ordained, that the freemen of the town, *i. e.* persons free to carry on trade therein, should be divided into four Companies; viz.

The Woollen drapers.
Mercers.
Butchers (now Victuallers). And
Shoemakers (now Cordwainers).

The company of woollen drapers has been ince discontinued.

Wardens.

Two Wardens are elected for each company by the freemen thereof, from amongst themselves, on Easter Monday, to serve for a year.

Clerk.

The town-clerk is Clerk of the companies.

Freemen of the Companies.

The Freemen of the Companies, as such, have no connection with the corporate body, except in being subject to bye-laws, and orders made at the courts of assembly.

The freemen are *de jure*; and are,

1st. Apprentices bound to and serving a freeman in the town.

2d. The eldest son living of a freeman, upon the death of his father.

These are admitted by the bailiffs, on payment of a fee of 6*s.* 8*d.* and the usual stamp of 20*s.*

A third class of freemen of the companies consists of freemen of the corporation, who are entitled, upon their election as freemen, or at any subsequent time, to the freedom of one of the companies.

These freemen pay the fee of 6*s.* 8*d.* and the stamp duty of 3*l.*

The freemen of the companies pay a quarterage to their respective companies, towards the expenses of their courts. This is, according to the bye-law, for a householder 8*d.*, for a journeyman 4*d.*; in practice, 8*d.* for married, and 4*d.* for single men.

The number of these freemen is 60; of whom, 10 are non-resident and 47 are members of the corporation. Of these, however, nearly all who carry on trade within the town had previously paid for *toleration.*

The freemen by servitude are gradually diminishing in number, and will probably soon become extinct.

The freemen of the companies are, in common with the freemen of the corporation, exempt from tolls of the fairs and markets.

Penalties.

None but freemen of the companies can carry on any trade, or use any mystery, science or occupation, or sell by retail within the town, (except at fairs), under a Penalty of 6*s.* 8*d.* for each offence, and the same sum for every market-day on which the party shall continue so offending. The market-days are two in the week.

Exemptions.

Wool-combers who have served an apprenticeship, themselves and children, are exempted from all such penalties, by stat. 35 Geo. 3, c. 124, and all soldiers and sailors, duly discharged, by a provision in the Mutiny Acts.

Foreigners.

The penalties are not strictly enforced against journeymen and keepers of "very small shops," such as fruit shops, small chandlers' shops, and the like. The higher class of tradesmen, however, are not permitted to trade without "a toleration." Of this class there are about five or six, who have not purchased their toleration; but they have been served with notice, and will be duly required to purchase it.

The toleration is granted by the corporation to any Foreigners desirous of trading within the town, upon payment of a composition, varying from 5*l.* to 30*l.* The sum varies with the nature of the trade, and the convenience of the situation in which it is carried on. The toleration is for life, but only extends to one trade; although the latter rule has not been strictly followed.

KINGSTON-UPON-THAMES

The following is a statement of the number and amount of tolerations during the last eight years:—

YEARS.	NUMBER.	AMOUNT.		
		£.	s.	d.
1826 - - -	5	38	–	–
1827 - - -	9	60	5	–
1828 - - -	5	70	–	–
1829 - - -	7	52	10	–
1830 - - -	4	30	–	–
1831 - - -	7	73	15	–
1832 - - -	4	50	–	–
1833 - - -	3	40	–	–
TOTAL in 8 Years -	44	414	10	–

This statement gives an average of nine guineas; which, with the stamp and fees, amounting to 3*l.* 10*s.*, raise the average of each toleration to about 13*l.*

The greater number of tolerations, upon an average of many years, are those of the lowest amount.

The average income derived by the corporation from the tolerations during the eight years is 52*l.*

The institution of the guild merchant is now become a mere source of revenue to the corporation.

The privileges of the guild merchant have never been exercised beyond the limits of the town of Kingston, vulgarly so called.

5. JURISDICTION Criminal and Civil

The various extent and kinds of jurisdiction belonging to this corporation, have been already presented in a tabular form. *See* "LIMITS."

Return of Writs.

The bailiffs and freemen are entitled to the Return and Execution of all Writs with the town and hundreds of Kingston, Elmbridge, Copthorne and Effingham, so that no sheriff may interfere, except in default of the bailiffs and freemen.

This privilege is fallen into disuse.

Magistrates.

The following are the Corporation Magistrates:—

The two Bailiffs,
Ex-Bailiffs,
Recorder and High Steward.

The steward of the court is a judge of the court of record.

Of these the four first are always resident; the recorder and high steward are non-resident; and the last is a merely nominal officer.

As justices of the peace the magistrates for the county of Surrey have a concurrent jurisdiction with the corporation magistrates. The latter act throughout the hundred of Kingston, excepting Richmond and Kew.

Courts.

The Corporation Courts are,

The Sessions of the Peace,
Petty Sessions,
Hundred Court,
Court of Record,
Court Leet,
Law Day,
Court Baron,
Court of Pie Poudre.

Sessions of the Peace.

The Sessions of the Peace are held twice in the year, at Easter and Michaelmas, for the town and hundred of Kingston, except Richmond and Kew.

The four resident justices attend, and the recorder presides. The court has jurisdiction to try all but capital offences. The average number of felonies is about four in the year; and about four misdemeanors.

The utmost punishment inflicted is transportation for seven years.

The sessions are attended by counsel.

The courts of quarter sessions for the county are held in turn at Newington, Reigate, Guildford, and the town of Kingston; and the sessions for the town, being held only twice in the year, all offences committed between any town sessions and the next quarter or adjourned sessions for the county, are tried at such county sessions; so that the offenders should not be imprisoned for more than six weeks.

The fees at the town sessions are very small, and the expenses of prosecution light.

Petty Sessions.

The Petty Sessions (for the same district as the general sessions) are held every Saturday, or oftener if need be, before the bailiffs.

The fees are the same as those taken in the county of Surrey.

KINGSTON-UPON-THAMES.

Petty sessions are also held every week, in the town of Kingston, before the neighbouring county magistrates.

Hundred Court.

The Hundred Court of Kingston was a court of ancient demesne, formerly holden before the bailiffs and suitors, on Saturday, once in three weeks. This is called, in the old court-books, *Curia cum Hundredo.*

The court has fallen into disuse. A recovery was suffered in this court, 6 James 1st, and a fine levied, 8 James 1st. The court-books contain no subsequent entries.

Court of Record.

A Court of Record is held weekly, on every Saturday, before the bailiffs, recorder and steward of the court, or any two of them.

In practice the bailiffs attend at the ordinary courts, and the recorder on trial days.

The town-clerk is the prothonotary, and the serjeants at mace are the officers, and execute the process of the court.

The court has jurisdiction in all pleas, personal and mixed, without restriction as to amount, in matters arising within the hundreds of Kingston, Elmbridge, Copthorne and Effingham.

Two counsel are appointed by the bailiffs, with the exclusive privilege of practising in this court. There being no resident counsel, the privilege is not enforced. This appointment is not made under any power granted by charter.

The bailiffs, by authority of the charter, appoint four attornies, with the exclusive privilege of practising in the court. This privilege is enforced.

Of these attornies, two only are members of the corporation.

In pleas under 40*s.*, the serjeants at mace are allowed to issue process; but if the defendant appears, the cause is always resigned to the attorney.

The process of the court is by writ of capias or summons, bailable and serviceable process, of which the former is rarely used.

An appearance is required at the third court; the declaration is filed at that court, the defendant pleads at the fourth, and issue is joined at the fifth. The cause is usually ripe for trial in six weeks. Trials, however, do not often take place more than four times in the year; a trial-day being usually appointed for each of the four quarters.

The following Table contains the average number of suits commenced, continued and carried to final process in a year:

Writs issued under 40*s.*	425	555
— above 40*s.*	130	
Appearance and Declaration		83
Trials		3
Arbitrations		3
Judgments		52
Writs of Fieri Facias		33
— Capias ad Satisfaciendum		19

The costs are very moderate; the average expense of a trial and final process not amounting to 10*l.*

The bailiffs receive a fee of 2*s.* upon every judgment, and 2*s.* upon every writ of execution.

Court Leet.

The Court Leet is held before the recorder on Tuesday in Whitsun-week; the fifteens being the jury.

At this court, constables are elected for the whole hundred of Kingston, except Richmond, Kew, Petersham, and the manors of Ham and Kingston-Canonbury.

Nuisances within the manor are presented, and fines occasionally assessed and levied.

It appears by old entries in the court-books, that "all presentments at the court leet are affeered at the court baron."

Law Day.

It seems that "a Court or Law Day" is held by the fifteens, at their assembly on the charter-day, at which court they elect the high constables for the hundred of Kingston. Four persons are elected to serve this office; viz. the two fifteens going out and two of the middling inhabitants. The fifteens never serve, and their election is merely nominal.

Court Baron.

The Court Baron is held before the bailiffs on Tuesday in Whitsun-week, the gownsmen and peers being the homage.

The only business actually transacted is the presentment of the death of free-tenants or alienations of free-tenements, upon which a relief of one year's quit-rent is payable by the new tenant to the corporation.

The homage also sign the presentment of the leet jury.

Court of Pie Poudre.

The Court of Pie Poudre is disused.

Juries.

The fifteens are summoned upon Grand Juries; and in default the jury is completed by the gownsmen and peers.

Since the passing of the New Jury Act, the petty juries have been summoned from the jury list for the hundred of Kingston.

The free-tenants of the manor, as tenants in ancient demesne, are exempt from serving on juries, unless in the courts within the manor.

The freemen are not put upon foreign juries; but the body of free-tenants have not in practice enjoyed or claimed their exemption.

KINGSTON-UPON-THAMES.

By the charter of Charles 1st, and other charters, the town justices are enabled to commit offenders within their jurisdiction to the County Gaol and House of Correction. Such offenders are always sent to the county gaol or house of correction, and maintained there at the expense of the county.

Gaol.

The town gaol, is only used for the confinement of debtors.

The old gaol and public-house adjoining were lately sold for 1,000 *l.* A new gaol was erected on another site, at the cost of 1,100 *l.*, of which 100 *l.* was added to the proceeds of the old gaol, from the funds of the corporation.

The new gaol is a convenient building.

The average number of debtors confined is about five; the greatest number is nine or ten.

The bailiffs are keepers of the gaol and answerable for the safe custody of prisoners. They appoint a gaoler, with a salary of 10 *l.* a year. He lives in the gaol free of rent, rates and taxes. He is also a serjeant at mace and sheriff's officer.

Police.

The Police Force of the hundred of Kingston consists of,

Two high constables, who act throughout the hundred:

The fifteens, who are headboroughs within the town of Kingston:

Three constables and three watchmen for the town, and 14 headboroughs and constables for the rest of the hundred (except Richmond, Kew, Petersham, and the manors of Ham and Kingston-Canonbury.)

The excepted parishes and manors appoint their own constables; but the constables for Petersham, Ham and Kingston-Canonbury are within the jurisdiction of the corporation magistrates.

For the Town.

The high constables are appointed at the law-day, as above described. They receive no salary, and are not efficient as peace officers or superintendents of police.

The fifteens only act on emergencies; their station in life unfitting them for the performance of the ordinary duties of a constable.

The three town constables are appointed at the sessions, to act for the Town. One of these and the three watchmen, who are appointed under the Act for lighting and watching the town, constitute the night police.

One of the three town constables receives a salary from the trustees of the lighting and watching Act, of 85 *l.* a year; another is paid 20 *s.* a week, the third only receives the usual fees on the execution of warrants. One of the watchmen has 15 *s.* and each of the others 13 *s.* a week. These six are the only effective town officers. There is no system of police.

At the annual fairs and assizes three London policemen are in attendance, and are paid by the corporation.

For the Hundred.

The 14 constables for the Hundred are appointed at the court leet for the manor of Kingston, as above described.

One headborough and one constable are appointed for each of the districts of Talwarth, Cleygate, Hook, and the parish of Long Ditton, and a constable for Combe Neville.

One headborough and constable are appointed for each of the extra-manorial districts of Maldon and Thames Ditton, and a constable for Ditton Marsh.

These officers are appointed on the recommendation of the inhabitants of their respective districts. They are usually continued from year to year. They are only paid by fees on the execution of warrants.

They are like other officers of the merely rural police, and only act as parish constables, each in his particular district.

6. Local Administration.

Lighting and Watching.

By an Act 13 Geo. 3, c. 61, "for the better lighting and watching the Town of Kingston, and removing obstructions therein," the bailiffs, high steward, recorder and justices for the town, and 89 other persons, were made trustees for carrying the Act into effect.

No persons can act as trustees unless they be seised of an estate within the town, of 10 *l.* yearly value, or occupy an estate there of the yearly value of 14 *l.*

Upon the death, removal, resignation, or refusal to act, of any trustee, the remaining trustees, or any 11, are authorized to fill up the vacancy.

All the powers of the Act may be executed at a meeting of 11 trustees.

The trustees are empowered to raise money for the purposes of the Act, by an assessment upon all persons occupying any tenement of the yearly value of 40 *s.* or more; such assessments not exceeding 2 *s.* in the pound, in any year, of the yearly rent of such tenement. The rates may be levied, after demand, by distress and sale.

A debt was originally contracted under this Act, but has been long since discharged.

The town was at first lighted with oil; but 80 gas lamps have lately been erected, at a cost of 2 *l.* 12 *s.* 6 *d.* per lamp. The old rate was 1 *s.* 3 *d.* in the pound, and has been increased to 1 *s.* 6 *d.* by the change. The town and bridge, however, are now well lighted.

Three watchmen and a night constable are appointed by the trustees, as already mentioned.

The assessment collected last year (for which the accounts exhibit an average of receipt and expenditure) was 343 *l.* 1 *s.* 8½ *d.*

The disbursements were—	£.	s.	d.
For Watching	201	18	1
Lighting	87	5	7
Law Expenses	20	—	—
Collector	17	2	4½
Sundries	4	13	8
Balance	13	14	3
£.	343	1	8½

KINGSTON-UPON-THAMES.

Paving.

There is no Act for Paving the town. The main road through part of the town to Portsmouth is repaired by the trustees of the Surrey and Sussex roads, and of the upper district of the Kingston and Sheetbridge roads.

The surveyors are appointed for the parish of Kingston, which includes a much larger district than the town. (*See* "LIMITS.")

The surveyor's receipts, by rates and arrears, for the last year were 380*l.* 3*s.* 2¾*d.*, the whole of which was disbursed in the ordinary payments for the year.

Bridge Trust.

By an Act of 6 Geo. 4th (amended by 11 Geo. 4th) for rebuilding Kingston Bridge, it is recited that the bailiffs and freemen "have, time out of mind, had the custody of the bridge, and were seised of lands and tenements for the maintenance and reparation thereof." By this Act the corporation were empowered to pull down the old bridge, and to build a new one.

The new bridge was built at a total expense of 40,000 *l.*, which sum was advanced by the Commissioners for issuing Exchequer Bills, at three and a half per cent.

The tolls (which are let yearly) by open bidding, are now let for 2,205*l.* The rent of the bridge estate is 100 *l.* per annum. Of this sum about 150*l.* is laid out in necessary expenses, and the residue is applied in discharge of the interest and principal of the debt. The latter is now 39,500 *l.*

7. REVENUES.

The following is an Abstract of the average ordinary Revenues and Disbursements of the Corporation.

CHAMBER RENTAL:	£.	s.	d.
Land and house	212	12	–
Towing-path and aytes	207	–	–
Bridge-wharf	12	13	4
Fee-farm rents	33	14	10
Tolerations (average of 8 years)	52	–	–
COLLECTOR'S BOOK:			
Tolls of markets and fairs	150	–	–
Quit-rent roll	32	–	–
TOWN-CLERK'S ACCOUNTS:			
Fines, &c.	10	–	–
Bailiffs' fees on judgments	8	–	–
Corporation seal	1	10	–
£.	719	10	2

SALARIES:	£.	s.	d.
Bailiffs	173	10	–
High steward, (sugar loaves)	9	–	–
Recorder (and ditto)	35	11	–
Steward of the Court, ditto	11	7	–
Collectors	30	–	–
Hall-keeper	25	–	–
Mace-bearers	5	–	–
Gaoler	10	–	–
GENERAL PAYMENTS:			
Repairs	80	–	–
Town-clerk's bill	80	–	–
Bridge account	42	11	–
Fee-farm and quit-rent	9	9	8
Rates and taxes	60	13	6
Insurance	11	3	6
Pipe-office (sugar loaves)	4	3	–
Police at fairs	5	5	–
Charities	11	–	–
Interest on debt	64	10	–
Incidental expenses	51	6	6
£.	719	10	2

The Accounts.

The Accounts are kept in three different books.

The account of chamber rental, and payments thereout, is kept by the chamberlains. Upon this account there is an arrear of nearly 300*l.* Large arrears are due on account of the fee-farm rents, some of which have not been collected for 20 or 30 years; but of late the whole rental has been collected with greater regularity.

The account of tolls and quit-rents, and certain payments made therefrom, are kept by the collector. The estreats, fines, &c. are received by the town-clerk, and set off in his annual bill. He also receives the bailiffs' fees, &c., which he pays over to the bailiffs at once.

The accounts are audited by the court of assembly, but are not published.

1°. Property of the Corporation:

Lands, &c.

The Lands of the corporation consist of small closes, which are fairly let for 137*l.* 12*s.* per annum.

The house is let for 75 *l.* a year, on condition of the tenant's receiving and accommodating the judges of assize.

Towing-path, &c.

The Towing-path was let in 1820 to the corporation of London for 21 years, at 175 *l.* a year. An agreement has since been made for a further term of 21 years, to commence in 1841, at 120*l.* a year.

The Aytes are islands in the river, and are let for 32*l.* per annum.

Bridge Wharf.

The Bridge Wharf belongs one-third to the corporation and two-thirds to Kingston-bridge. It is let for 38 *l.* a year.

Fee-farm Rents. Tolerations.

The Fee-farm Rents are ancient rents belonging to the corporation. The Tolerations have been already described.

Tolls.

The corporation are entitled to Toll of corn; but the corn being now sold by sample, the toll has been lost.

The

KINGSTON-UPON-THAMES.

The present tolls are tolls of cattle, pigs, and all commodities sold in Saturday's market. The Wednesday's market is discontinued. The three charter fairs are still held; but the only fair of importance is the cattle fair, held in November.

Quit-rents.

The Quit-rents are the ancient rents paid by the free-tenants of the manor. They amount altogether to 42 *l.* 18*s.* 5½ *d.*; but 32 *l.* is the average amount collected.

Fines, &c.

The Fines at present collected (since the passing of the Fine and Recovery Act) are the amerciaments on offenders throughout the hundreds of Kingston and Elmbridge. The amount is very uncertain.

The remaining items have been already described.

2°. Disbursements.

The chief items of Disbursement have been already described.

Repairs.

The average amount of Repairs can scarcely be stated. The sum of 80 *l.* is rather guessed at, than adopted for calculation.

Bridge Account.

The corporation have for centuries past paid one-fifth of the aytes and towing-path, now amounting to 41 *l.*, to the Bridge Account; and 1 *l.* 11 *s.* is charged upon other lands of the corporation, and payable to the same account.

Fee-farm Rent.

The Fee-farm Rent has been alienated by the Crown, and is now paid to the alienee. The fee-farm rent was reduced by 33 Henry 8th, (*see* above, "CHARTERS,") to 15 *l.* 7*s.* 2*d.*; the sum actually paid is 8 *l.* 14*s.* 4*d.* No account exists of the time or manner of its reduction to the present amount.

The sum of 15*s.* 4*d.* is a quit-rent payable by the corporation.

Charities.

Two sums of 5 *l.* and 6 *l.* are charged on certain lands of the corporation, and are respectively payable by them to Smith's and King Charles's charities. (*See* "PATRONAGE.")

Debt.

The towing-path and other lands of the corporation were mortgaged last year for a sum of 1,100 *l.* at four-and-a-half per cent; and a further sum of 300 *l.* is secured upon the tolls. The whole interest is 64 *l.* 10*s.*

Of the sum of 1,100 *l.*, 400 *l.* was expended in purchasing certain tenements in Heathen-street, which have been pulled down for the improvement of the road.

£. 100 was subscribed towards the repair of the grammar school; and 600 *l.* was laid out in the purchase of 700 *l.* three per cent. stock, which the corporation hold as trustees for Tiffin's, Belitha's and Smith's charities. (*See* "PATRONAGE.") The principal sums were formerly applied to some corporate purpose, and the annuities discharged from the general fund. By the purchase in question the charity fund has been restored.

The money secured upon the tolls was borrowed in 1826, to make up a sum for improving the market.

A debt of 428 *l.* 8*s.* 2*d.* has long been owing to the town-clerk; and about 120 *l.* is still unpaid on account of the last year's expenses.

Alienations.

It appears that the corporation have from time to time sold their fee-farm rents and portions of their waste and other land, for the purpose of meeting extraordinary expenses.

The following is an account of Alienations which have been made during the present century:—

	SOLD FOR. £.	s.	d.
1812–13:—Two allotments awarded to the corporation under the Kingston and Imworth Inclosure Act	2,027	–	–
1819:—The Bowling-green	735	–	–
Moiety of an estate escheated to the corporation, as lords of the manor	983	16	–
1820:—Two fee-farm rents of 1 *l.* 1*s.* each	54	12	–
1823:—Two acres of land	200	–	–
Garden ground (formerly waste)	200	–	–
1827:—Fee-farm rent of 16*s.* 6*d.*	24	–	–
Old Stockhouse	1,050	–	–
1829–30:—Pieces of waste	87	–	–
1832:—Fee-farm rent of 7*s.* 6*d.*	11	5	–
TOTAL £.	5,372	13	–

Of the monies received, 3,800 *l.* 8*s.* was applied towards the erection of two county courts of assize; 1,000 *l.* in the erection of the debtor's gaol; and the balance of 572 *l.* 3*s.* to the general purposes of the chamber.

Notwithstanding the alienations of property, it appears that the total income of the corporation has never been so large as now. This is owing to the great increase in value of the tolls and towing-path, which has been decupled during the last ten years.

8. PATRONAGE.

Grammar School.

Queen Elizabeth, by a charter, dated 1st March, in the first year of her reign, and a second charter, dated 17th May, in the 6th year of her reign, founded "The Free Grammar School of Queen Elizabeth," at Kingston, and granted divers lands, tenements and rents to the bailiffs and burgesses, towards the maintenance thereof.

The revenues of the school are somewhat less than 100 *l.* per annum.

KINGSTON-UPON-THAMES.

The master is appointed by the bailiffs, with the advice of the bishop of Winchester. The scholars are sons of freemen of the corporation and town, who pay 3*l.* upon entrance. and 15*s.* per quarter, and are instructed in Greek, Latin, English and accounts.

The school has ceased to flourish for many years.

Tiffin's Charity.

Tiffin's Charity is a school for 30 poor boys, to be selected by the bailiffs and town-clerk. The annual income is 66*l.* 7*s.* 6*d.*

The selection of the boys is left to the treasurers; and the master is appointed by the court of assembly, on their recommendation.

Brown's Charity.

Brown's Charity is a school for 28 poor girls, to be chosen by the bailiffs and freemen. The annual income is 90*l.*

The selection is left to the treasurers. The schoolmistress is appointed by the court of assembly.

Belitha's Charity.

Belitha's Charity is a school for 20 poor girls, to be chosen by the bailiffs and freemen. The annual income is 15*l.*

The selection is left to the treasurers, and the schoolmistress for Brown's school is also appointed to this charity.

Cleave's Almshouse.

Cleave's Almshouse: Six poor men and six poor women, to be chosen by the bailiffs and freemen. The annual income is 490*l.*

The almspeople are elected by the court of assembly.

Smith's Charity.

Smith's Charity: A sum of money now producing 106*l.* per annum, was left to the bailiffs and freemen, "for the relief, maintenance and setting to work of the poor people of Kingston, and for the education and bringing them up in some good and Christian course and trade, or in relieving the poor according to their necessities."

A boy is occasionally apprenticed from this fund; but the principal sum is yearly distributed by the bailiffs in 600 or 700 cloth tickets, given to as many poor people of the town.

These tickets which are orders for three ells of linen at 1*s.* an ell, are addressed in equal proportions to six drapers of the town, of whom two only are members of the corporation.

Norton's Charity.

Norton's Charity is a rent-charge of 20*s.* and is distributed by the bailiffs amongst 20 poor widows on St. Thomas's-day.

Dolling's Charity.

Dolling's Charity is a yearly sum of 7*l.* 11*s.* 6*d.*, and is distributed by the bailiffs in shares amongst the poor old widows of the parish.

King Charles's Charity.

King Charles's Charity is an annuity of 5*l.* laid out by the bailiffs in the same manner as the last.

Hartop's Charity.

Hartop's Charity is an annuity of 6*l.* which the bailiffs permit the churchwardens to distribute amongst the poor in bread.

Price's Charity.

Price's Charity is an annuity of 20*s.* distributed by the bailiffs in money, amongst 20 poor widows and men on St. Thomas's-day.

Buckland'sCharity.

Buckland's Charity: The rent of a wharf and allotment, amounting to 30*l.* a year, is applied by the bailiffs in the purchase of coal in the summer season, which is retailed in the winter to the poor of Kingston, at 1*s.* a bushel.

Snelling's Charity.

Snelling's Charity consists of the rent of lands and tenements amounting to 33*l.* per annum. Of this 12*l.* is distributed by the bailiffs amongst the poor, in bread and money, on the first Sunday in every month, and the residue is given away in coals.

Nicholl's Charity.

Nicholl's Charity: The rent of land and dividends of stock, amounting to 29*l.*; to be applied by the recorder, high steward, bailiffs and vicar, in the same manner as Buckland's Charity.

The distribution is left to the vicar.

Hurst's Charity.

Hurst's Charity, is a rent-charge of 6*l.* per annum. This sum is distributed by the bailiffs in monthly allowances of bread and sixpences, to ten poor widows.

9. STATE OF THE TOWN.

The square contents of the parish of Kingston (including Ham and Hook) is 7,300 acres.

Pop. Ret. 1831.

The population of the parish (excluding and including the Ham and Hook) was, in

Years.	Excluding Ham and Hook.	Including Ham and Hook.
1801	3,793	4,438
1811	4,144	4,999
1821	4,908	6,091
1831	5,989	7,257

Ibid.

Ibid.

The annual value of real property was, in 1815, 18,853*l.* excluding, and 24,206*l.* including Ham and Hook.

The

The parochial assessment for years ending 25th March, was,

Years.	Excluding Ham and Hook. £. s. d.	Including Ham and Hook. £. s. d.
1825	2,020 5 –	—
1829	2,481 9 –	—*
1832	3,618 – –	4,498 – –

* Parl. Pap. 1830. 83.

The trade of the town consists chiefly in malting, and the importation of coals for the supply of the neighbouring district. The town, with respect to trade, is described as stationary; but the number of houses for the inhabitation of persons of small independent incomes is gradually increasing. The principal part of the working population of the town is employed in the malt and coal trade; the rest are chiefly engaged in agriculture.

10. GENERAL REMARKS.

The town not being represented in Parliament, the corporation is not divided into political parties. It is composed of persons of opposite political opinions, and some of its members are dissenters from the Established Church.

The members of the corporation, in their various capacities of fifteens, leet jurymen and magistrates, appoint all the local officers of the town. It appears that many persons have been elected into the body of fifteens who were either new-comers in the town or young in point of age, and had served none of the troublesome offices of overseer, surveyor, churchwarden, high constable, or the like; whereas many persons of greater age and longer resident in the town have been passed over, although they had been appointed to and had served one or more of those offices. It appears that some of the persons elected into the corporation had never been free tenants of the manor, and that others had departed with their tenements before their election.

It has been seen that the town magistrates are the two bailiffs and their two immediate predecessors. It appears from the list of the members of the corporation that these officers must be frequently chosen from amongst the retail tradesmen of the town. It is said that such persons are too dependent upon the favour of their customers and the good will of the townspeople to act with proper energy and impartiality. Instances were adduced in proof of this statement; and it appears that the more important business of the town is, when possible, transacted before the county magistrates.

The corporation, as a body, is extremely inactive; and with extensive jurisdiction, numerous officers, and a considerable revenue, is rather harmless than useful to the town.

11. DOCUMENTS.

The following Documents accompany this Report:

(A.) Description of the Boundaries of the Manor of Kingston-upon-Thames.

(B.) Table of Fees of Clerk of the Peace.

(C.) Ditto, at Petty Sessions.

(D.) Fees of Court of Record.

(E.) Tolls of Markets and Fairs.

(F.) List of Members of the Corporation.

(G.) An Act for inclosing Lands in the several Manors of Kingston-upon-Thames and Imworth, otherwise Imbercourt, in the County of Surrey; and for selling part of such Lands for the purpose of providing a Court-house and Market-house for the said Town. [48 Geo. 3, Sess. 1808.] Local Acts.

(H.) An Act for the better lighting and watching the Town of Kingston-upon-Thames, in the County of Surrey, and for removing and preventing all Obstructions, Encroachments, and Nuisances therein. [8 Geo. 3, Sess. 1768.]

(I.) An Act for the rebuilding of Kingston Bridge, and for improving and making suitable Approaches thereto. [6 Geo. 4, Sess. 1825.]

(K.) An Act for amending and extending the provisions of an Act passed in the sixth year of the Reign of his present Majesty, for the rebuilding of Kingston Bridge, and for improving and making suitable Approaches thereto. [11 Geo. 4, Sess. 1830.]

(L.) Copy Charter of Charles 1st.

15 January 1834. *C. Austin.*

833

REPORT

OF

THE CORPORATION OF MAIDENHEAD.

(BERKSHIRE.)

CONTENTS.

	Page
Limits	2909
Charters	2909
Title	2909
Corporate Body	2909
Mayor	2909
Bridgemasters	2909
Burgesses	2909
Ruling Body	2909
Officers:	
High Steward	2910
Mayor	2910
Bridgemasters	2910
Treasurer of the Bridge	2911
Recorder or Steward	2911
Town Clerk	2911
Serjeants at Mace	2912
Two Constables and two Tythingmen	2912
Fines on refusing Office	2912
Freemen	2912
Fees or Fines on Admission	2912
Courts:	
Quarter Sessions	2912
Court of Record	2913
Court of the Clerk of the Market	2913
Piepowder	2913
Juries	2913
Police	2913
Gaol	2913
Property and Income	2913
Tolls of the Bridge	2913
Debt on the Bridge	2913
Patronage	2915
Local Acts	2915
General Prospects	2915

CORPORATION OF MAIDENHEAD.

Limits.

THE Limits of the town of Maidenhead, or Maidenheth, extend over part of the parishes of Bray and Cookham, in the county of Berks. The line of circumference is about eight miles in extent. The boundary is described in the governing charter, and is well ascertained by occasional perambulations. The population of the town consists of about 2,500 persons.

Charters.

The corporation of Maidenhead do not claim any privileges by prescription; the earliest existing Charter relating to the place, the 30th Henry VI., (1451) recognized a chantry, originally established by Margaret of France, second Queen of Edward I., and confirmed by Richard II.; it also established a guild or fraternity by the name of the "Overseers, Wardens, Brethren and Sisters of the Fraternity or Guild of St. Andrew and St. Mary Magdalen of Maidenhyth." The objects of this incorporation are stated in the charter of Henry VI. to be "the finding of wax lights, and other necessary divine articles for the daily celebration of masses, for ever," and the maintenance and reparation of the bridge across the Thames. As a provision for the expenses of the repairs of the bridge, certain tolls were granted upon all merchandize passing over or under the bridge. This chantry was dissolved by Henry VIII., and under the provisions of the statute 1 Edward VI. c. 14, its revenues, which were inconsiderable, were taken by the Crown. The charter of Henry VI. with the religious corporation thereby granted, was revived and confirmed by an Inspeximus charter of Elizabeth, granted in the 20th year of her reign (1578); but in the 24th year of the reign of the same Queen (1581) a charter was granted, which after reciting that the chantry had been lately dissolved, constituted Maidenhead a free town, and substituted for the religious "Fraternity or Guild" a lay corporation by the name of the "Warden, Bridgemasters, Burgesses and Commonalty of the Town of Maindenhyth." Charters corresponding in all material respects with the 24th of Elizabeth, were granted to the town in the 2d year of the reign of James I. (1604), and in the 15th of Charles II. (1663), and in the 1st year of the reign of James II. (1685), the present governing charter was granted, which continues the same form of municipal government, and only varies from the last preceding charter, by reserving to the Crown the power of removing corporate officers by an order in council.

The documents relating to the constitution and history of the corporation are in excellent order; the charters having been translated and arranged, and an extensive search having been made at the expense of the corporation in 1824.

Title.

The title of the corporation under the governing charter is "The Mayor, Bridgemasters and Burgesses of the Town of Maidenheth, in the County of Berks."

Corporate Body.

The corporate body consists of a Mayor, two Bridgemasters, and eleven Burgesses, of whom the mayor and bridgemasters are three. The number of burgesses is the same in all the charters since the 24th of Elizabeth.

Election of Constituent Members of the Corporation.

Mayor; how elected.

The Mayor is annually elected on Wednesday next before Michaelmas-day by the mayor, bridgemasters and burgesses, or the major part of them, from themselves, and is sworn into his office within one month afterwards, before his immediate predecessor and the rest of the corporate body.

Bridgemasters; how elected.

The Bridgemasters are annually elected on Wednesday next after Easter by the same body, from themselves, and in the same manner as the mayor.

Burgesses; how elected.

The Burgesses are elected within 15 days after the occurrence of vacancies, by the mayor, bridgemasters and burgesses, or the major part of them, from the inhabitants of the town. The burgesses have no specific functions or privileges separately from the rest of the corporate body; they are, however, always summoned on public occasions to consult with the mayor and bridgemasters; they are also summoned to assist in the court of record, and some of them usually attend there.

Ruling Body.

Their authority to make Bye-Laws.

The Mayor, Bridgemasters and Burgesses constitute the ruling body of the corporation for all purposes of municipal government. They have authority by their charters to make bye-laws for the government of themselves and the other inhabitants, at an assembly of the whole body or the major part of them, at which the mayor and one of the bridgemasters must be present.

Privileges of Corporate Body.

The members of the corporate body have no peculiar privileges, excepting an immunity from serving on juries out of the town, which is expressly granted by the charter. A similar immunity is also claimed by custom for all the inhabitants of the town, and has been invariably allowed.

Residence.

By an express limitation in the governing charter, all the above members of the corporate body are empowered to exercise their respective offices so long only "as they shall inhabit within the town." This requisition is always attended to in practice.

MAIDENHEAD.

Officers.

The Officers of the corporation under the governing charter consist of,—

A High Steward,
A Mayor,
2 Bridgemasters,
A Steward and Town Clerk,
A Serjeant-at-Mace,
2 Constables, and
2 Tythingmen.

Besides these, a Treasurer of Maidenhead Bridge is appointed under an Act of Parliament, and it has been for many years usual to elect a Recorder, but neither of these officers are named in the charters.

High Steward; how elected.

Though the High Steward is not mentioned in any of the charters previous to the 1st of James II., it is quite clear from the corporation records, that the office existed long antecedently to the date of that charter. Indeed Sir Robert Sawyer, who was afterwards attorney-general to Charles II. and James II., and is named as the first high steward by the governing charter, had been previously elected by the corporation in 1677. This officer is required by the charter to be "a distinguished man" (*vir honorabilis*), but no directions are given as to the manner of electing him, or the duration of his office. The uniform usage has been to elect him upon vacancies by the mayor, bridgemasters and burgesses, or the major part of them, and the office is considered to be holden for life. He is not expressly required to reside within the town, and from the appointment of Sir Robert Sawyer by the governing charter, it may be inferred that this officer was not intended to be permanently resident at Maidenhead.

Functions.

The high steward is by virtue of his office a justice of the peace within the town, and as such is entitled to preside as one of the judges at the quarter sessions. He receives no salary or emoluments.

The present high steward is a magistrate of the county of Berks, and resides in the neighbourhood of Maidenhead; he is an active and useful member of the corporation, and attends at the quarter sessions, and at almost all corporate meetings.

Mayor's Functions.

The election of the Mayor has been already described in the account of the constituent parts of the corporate body. He is a justice of the peace within the town, and presides at the court of quarter sessions and in the court of record. He continues to act as a justice of the peace for one whole year after the expiration of his mayoralty. The mayor for the time being is also clerk of the market, coroner and escheator within the town.

He has now no salary or emoluments. By an order made in 1803, the sum of 50*l.* was allowed from the corporation funds for the mayor's feast; but in 1815, this allowance was discontinued, and it has never been paid since.

Bridgemasters.

The election of Bridgemasters has also been described in the account of the corporate body. In former times, the principal and peculiar duty of these officers was to superintend the bridge (which always belonged to the corporation), to receive the tolls, and apply the monies received in the necessary repairs. The property in the present bridge is given to the corporation by an Act of Parliament passed in 1772; and under the provisions of that Act a treasurer for the bridge is now appointed by the corporation, whose appointment and functions will be presently described, and upon whom a portion of the ancient duties of the bridgemasters devolves. By one of a series of bye-laws, dated the 24th of Sept. 1829, and drawn up by a committee of the corporation composed of the high steward and four other members, separate and distinct functions are assigned to each of the bridgemasters.

Duties of Senior Bridgemaster.

It is ordained by that bye-law, that "it shall be the peculiar duty of the Senior Bridgemaster to undertake the care and superintendence of the bridge, and all accounts connected therewith; that he shall call upon the treasurer to produce his accounts for examination twice in every year, or oftener if the mayor and bridgemasters shall require, upon reasonable notice being given by the said bridge-masters; that he shall from time to time examine the state and condition of the bridge and Guildhall, and give such direction as he shall think fit for the repair of the same and the road over the said bridge; and that upon any repairs being considered necessary, the estimate whereof shall exceed the sum of 5*l.*, he shall communicate with the mayor, who shall thereupon call the burgesses together in order to submit the matter of such repairs to the corporation at large. That the said senior bridgemaster shall also receive the rents of the corporation estates, and shall pay and appropriate the same under and according to the orders and directions of the mayor, bridgemasters and burgesses, to be entered in one of the books of the said corporation; that an annual audit shall be held by the said bridgemasters for receiving the said rents, of which the clerk shall give 14 days previous notice to the tenants; that the said senior bridgemaster within one month after the expiration of his year of office, shall deliver in to the said mayor, bridgemasters and burgesses in open court, a full true and particular statement and account of all his receipts and disbursements supported by proper vouchers and shall pay over the balance then remaining in his hands (if any) to the new bridgemasters, which accounts shall be annually entered by the clerk in a book to be kept for that purpose."

The

The Bridgemasters for the time being have been from time immemorial Chapel Wardens of the chapel of St. Andrew and St. Mary Magdalene, in the town of Maidenhead; the conjunction of the two offices of bridgemaster and chapel warden, which is also to be found at Henley-upon-Thames and elsewhere under the same circumstances, is no doubt to be traced to the double character of the corporation in ancient times as a religious and lay institution, expressly charged with the duty of maintaining both the chapel and the bridge.

Bridgemasters also Chapel Wardens.

In the year 1824, an Act of Parliament, authorizing the removal of the chapel to another site, continued the property in the new chapel and its site to the corporation; and in 1829 the peculiar superintendence of the affairs of the chapel was given by another of the bye-laws above-mentioned to the Junior Bridgemaster. He is to receive the pew rents, and to make the necessary disbursements for the use of the chapel, investing the surplus (if any) under the direction of the corporation, as an accumulating fund to meet future repairs and contingencies. The junior bridgemaster is required within one month after the expiration of his year of office to deliver in to the corporation "in open court" a particular statement of all his receipts and disbursements, and to pay over the balance in his hands to the new bridgemasters.

Duties of the Junior Bridgemaster.

The bridgemasters are by the governing charter judges in the court of record, and one of them must be present in order to form the court. It will appear from the above statement, that the duties performed by these officers are laborious and responsible.

They receive a nominal salary of 40 *s.* a year between them, and have no other emoluments.

The mayor, bridgemasters and burgesses, or the major part of them, according to the Act of Parliament, appoint the Treasurer of the bridge by writing under the common seal. The duration of his office is not specified in the appointment, but it would probably be considered to be held during good behaviour. The present treasurer is the steward or recorder, who received his appointment before the date of the bye-laws of 1829, and when it was not usual to give security; but by one of those bye-laws, future treasurers are required to enter into a bond with two sufficient sureties in the penal sum of 500*l.* conditioned for the due execution of their office, and the proper application of all monies which may come to their hands. The treasurer is required to produce his accounts to the mayor, bridgemasters and burgesses at the second court day after Lady-day and Michaelmas respectively, and also to exhibit them at any time to the senior bridgemaster when required so to do.

Treasurer of the Bridge.

He receives no salary or emoluments.

The Recorder, as above stated, is not (*eo nomine*, at least) a chartered officer, and there is no evidence in the corporation documents to show any legal authority for the appointment of such an officer. In modern practice the recorder is considered only as another name for the steward, and as the governing charter mentions "a steward *and* town clerk," it has been supposed to warrant the appointment of two officers; but there appears to be strong reason against this construction of the charter; and as the subject is in one point of view important, I shall advert to it more particularly hereafter.

Recorder, or Steward.

The Steward or Recorder is elected by the mayor, bridgemasters and burgesses, or a majority of them, and is considered to hold his office for life.

His Election.

He is a justice of the peace by virtue of his office, and usually but not invariably presides as chairman at the quarter sessions. By the words of the governing charter it is declared that the sessions of the peace for the town are to be holden before the justices or any two of them (of whom the steward of the town for the time being must be one). In point of fact the sessions have been occasionally holden and prisoners have been tried in the absence of the steward, but in those instances the high steward has presided, and it has been supposed that his presence satisfies the requisition of the charter. The regularity of this mode of proceeding seems extremely doubtful; for as the high steward and the steward are both expressly named as justices in the charter, a distinction is obviously made between the two officers; and as the latter is specifically named in the quorum clause, it cannot be said that the words of the charter are complied with by the presence of the high steward alone.

Functions of Steward, or Recorder.

The recorder or steward receives a salary of 3*l.* 6*s.* 8*d.* per annum.

The present steward formerly practised as a conveyancer, but is not called to the bar. He has for some years retired from business.

The Town Clerk is elected in the same manner as the recorder or steward, and holds his office during the pleasure of the corporation.

Town Clerk how elected.

He acts as clerk of the peace in the town, keeps the records of the several courts, issues the process, and enters the minutes of the corporation proceedings. The ordinary business arising out of the chapel and bridge and the other property of the corporation is considerable, and occupies much time and attention.

Functions.

The town clerk has an annual salary of 45*l.* for his services; he is also entitled to fees at sessions and in the court of record, and he receives a fee of one guinea upon each inquest holden by the mayor as coroner. He derives the usual professional remuneration for business done by him; but it is expressly stipulated upon his appointment that he is not necessarily to be employed in law-suits brought by or against the corporation.

The question respecting the legality of appointing two officers as Recorder or Steward and Town Clerk, is important with reference to the constitution of the court of quarter sessions. By the charter, the steward of the town for the time being must always be present to form the court:

Usage of the Corporation respecting the severance of the Offices of Steward and Town Clerk.

MAIDENHEAD.

court: but the modern practice of the corporation in appointing two officers, renders it doubtful whether the recorder or the town clerk is the steward designated by the governing charter; and, consequently, whether the proceedings at many of the local sessions, when one only of these officers has been present, have not been irregular. For this reason, I thought it right to make particular inquiry into the usage respecting these offices from the date of the charter. It appears to have been clearly the intention of the charter, that the steward and town clerk should be the same person: it states in terms that "there shall be *one* honest and discreet man within the town, who shall be and be called the Steward of the same town." It then appoints Thomas Staples, esq. "to be the first and present steward and town clerk of the said town." Whether Staples was a barrister or an attorney, does not appear; but he continued to hold his office until his death in 1707, and there is evidence to show that during that period, he fulfilled the duties usually discharged by town clerks. His immediate successor was John Whitfield, a practising attorney, and in the statement of his election he is said, as the entry originally stood, to have been chosen steward *and town clerk* for the corporation in the place of Staples. It is remarkable that in this entry the words "and town clerk" are struck through with a pen. Whether this was done at the time the entry was made, or by any person who, at a subsequent period, might have an interest in falsifying it, cannot now be ascertained. Whitfield held his office until 1727; and there is evidence that he also discharged the ordinary functions of a town clerk. There is also an entry in the corporation books during Whitfield's time, stating that upon the election of a high steward in 1711, the corporation directed that "the steward *and town clerk* do certify his election to him." This expression is, however, equivocal, and may in grammatical construction, mean either one officer or more than one. On the other hand, there are some entries on the corporation books relating to the periods while Staples and Whitfield were respectively stewards, which seem to show that at least some of the duties of the town clerk were performed by a different officer from the steward. For instance, in July 1685, only a month after the date of the charter, Mr. George Russell was sworn "deputy town clerk," though the charter does not authorize the appointment of such an officer; and in July 1723, when Whitfield was steward, the same George Russell, after having been dismissed, is stated to have been restored to his "office or place of town clerk of this corporation."—From the death of Whitfield in 1727 until 1764, several stewards are successively entered as elected, and no mention is made of a town clerk; but on the 25th of October 1764, there is an entry of the election of a high steward, and a memorandum that "at the same court Mr. James Payn entered upon his office of town clerk." At this time it appears from other entries that Robert Vansittart, esq., was the steward, and it is therefore clear that the two offices were then holden by two persons. The steward was also about the same time first called recorder, and wholly ceased to perform the ordinary duties of town clerks. This severance of the two offices has continued to the present day; and in the exercise of their criminal jurisdiction, is productive of no small inconvenience to the corporation.

Serjeants at Mace.

By the charter one or two Serjeants at Mace may be appointed; it has been usual to appoint only one. He is elected by the mayor, bridgemasters and burgesses, or the greater part of them, and holds his situation during their pleasure.

Duties of Serjeant at Mace.

His duties are to execute all kinds of process, and to attend upon the corporation at all their meetings and upon public occasions. He has also the custody of the gaol, for which he receives a salary of three guineas a year from the county. His salary from the corporation is 20 *l.* a year, and he is entitled to some small fees in the court of record; in addition to which, he resides in a house belonging to the corporation at a nominal rent, and has a livery.

Two Constables and Two Tythingmen.

The Constables and Tythingmen are appointed annually by the corporation; each of them receives a salary of 4 *l.* per annum, and occasionally a suit of clothes.

Fines on refusing Office.

By the series of bye-laws above referred to, made in 1829, the following Fines for refusing Offices are imposed:—1st, a fine of 50 *l.* upon a burgess refusing to serve the office of mayor; 2d, a fine of 10 *l.* upon burgesses refusing to serve as bridgemasters; and 3dly, a fine of 20 *l.* upon inhabitants duly elected, and refusing to serve as burgesses. The authority for these fines has sometimes been questioned, but in practice they have been often inflicted and paid.

Freemen.

No Freemen have been admitted since the year 1794, excepting those who have been compelled to take up their freedom in order to serve corporate offices. There are evident traces of the existence of an exclusive privilege of trading within the town in former times, but this privilege has been long since abolished.

Fees or Fines on Admission.

No Fees or Fines are paid upon admission to corporate offices; when inhabitants of the town are elected burgesses, it becomes necessary for them to take up their freedom, but in these cases no fine is paid, and the expense of the stamp is defrayed out of the corporation funds.

Courts.

The Courts granted by the governing charter to the town of Maidenhead are the Quarter Sessions, a Court of Record, a Court of the Clerk of the Market, and a Court of Piepowder to be holden during the several fairs and markets.

Quarter Sessions.

The Quarter Sessions are regularly holden at the usual periods, according to the directions of the charter, before the justices of the peace for the town (of whom the steward must be one).

The question respecting the necessity for the presence of the steward at the quarter sessions which has more than once arisen in practice, has been already alluded to. This court has authority to try all offences which may be tried by the county justices, but is restricted from

from the determination of treason, murder or any felony inferring the loss of life or limb. The fees are the same as those at the quarter sessions for the county of Berks. MAIDENHEAD.

The number of prisoners tried at the Maidenhead quarter sessions within the last six years has been 17; of which 15 were felonies and two misdemeanors.

By the charter the Court of Record may be holden on Friday in every third week, or oftener, before the mayor and bridgemasters, or before any two of them. The jurisdiction extends to all causes of action not exceeding 20*l.* in amount; but it is expressly provided in the charter, that either the plaintiff or the defendant must be an inhabitant af the town. Court of Record.

This court had been discontinued for more than half a century until three or four years ago, when it was revived at the suggestion of some members of the corporation. Since its revival, plaints have been occasionally levied, but no case has proceeded to trial.

A Table of the Fees accompanies this Report.

A Court of the Clerk of the Market is holden at every Epiphany sessions before the mayor. The peculiar business of this court, which consists of an examination of weights and measures, and hearing complaints of extortion or overcharge in levying tolls in the markets, is now almost entirely mixed up with the general business of the sessions. Court of the Clerk of the Market.

The Court of Piepowder is wholly disused. Piepowder.

The Juries are summoned by the constables, by virtue of a precept from the town clerk. The grand juries are taken from the wealthier class of inhabitants, and the petty juries from the smaller tradesmen. Care is always taken that the same persons should not be summoned more than once in two years. Juries.

The Police of the town is undoubtedly insufficient. The serjeant at mace acts as a police messenger, and two constables and two tythingmen are appointed by the mayor upon his election. The constables are paid by the corporation 4*l.* a year each as a gratuity, if they conduct themselves satisfactorily. There is no night watch, nor are the streets at present lighted; the inconvenience arising from the latter circumstance is likely, however, soon to be removed, as a negotiation is now pending with the corporation for lighting the town with gas. It is obvious, that for a town situated as Maidenhead is, on the main western road to Bath and Bristol, and subject to the constant passage of wandering strangers, a more efficient and systematic police is highly expedient. Police.

The magistrates of the town have an express authority under the charter to commit prisoners to the County Gaol, and this course is usually adopted in cases which are not to be tried at the town sessions. Prisoners in execution of criminal sentences are also sent to the County Gaol. There is a Gaol and Cell within the town, both of which are used as places of temporary confinement only. The Town Gaol is used for county prisoners as well as for those committed by the corporate magistrates. It is kept by the serjeant at mace, who acts as gaoler under the superintendence of the mayor. Gaol.

The Property of the corporation consists of the tolls of the bridge over the Thames, and a small piece of land adjacent to it, several houses in the town, the town hall, and a public house under it, a small fishery at the bridge, and the tolls of the several fairs and markets. By the Act passed in 1824, "for taking down, rebuilding and enlarging Maidenhead Chapel," the site upon which the new chapel stands is vested in the corporation for ecclesiastical purposes. In a pecuniary point of view, however, the chapel is not a valuable property to the corporation; for the pew rents are only sufficient to pay an additional stipend to the chaplain, according to an arrangement made with him on the completion of the chapel, the salaries of the organist and clerk, and the current expenses, leaving a small accumulating fund for occasional repairs of the building. Property and Income.

The houses in the town are let at rack-rents, producing in the whole rather less than 200*l.* per annum. Some of them have, however, been newly built; by which means a debt of 2,000*l.* has been incurred.

The market tolls and fishery do not produce 10*l.* per annum.

The Tolls of the Bridge were granted to the corporation of Maidenhead in very early times, and were confirmed to them specifically by several successive charters. In consideration of this grant, they were bound to maintain and repair the bridge. In the year 1772, it became necessary to remove the ancient timber bridge on account of its age and insecurity; but as the funds of the corporation, and the scale of tolls established by the charters, were insufficient to meet the expense of erecting a new bridge, an Act of Parliament was passed for the purpose of enabling the corporation "to build a proper and convenient bridge, and to defray the expense thereof, and of keeping the same in repair for ever." By this Act the property of the bridge is absolutely vested in the corporation, the old tolls are abolished, and a new scale of tolls is imposed which the corporation are empowered to levy. These tolls have been considerably reduced since the completion of the bridge. Upon an average of the last seven years, they have produced about 1,200*l.* per annum. Tolls of the Bridge.

The tolls of the bridge are mortgaged to secure a Debt of 17,500*l.* incurred immediately after the passing of the Act of Parliament by the building of the bridge. The interest upon that debt amounts to 765*l.* per annum, thus leaving upon this account a net income of 435*l.* part of which is applied to the repairs of the bridge, and the residue is carried to the general fund of the corporation. Debt on the Bridge.

MAIDENHEAD

The following statement of the Income and Expenditure of the corporation is taken upon an average of the last seven years:—

Income.	£. s. d.	£. s. d.
Produce of the bridge tolls, on an average of the last seven years	1,187 17 6	
Deduct,		
One year's interest, payable to the several mortgagees of the tolls £.765 – –		
Stamps and postages on remittance thereof 2 10 –		
Estimated expenses of the repair and maintenance of the bridge, on an average of the last seven years 37 2 10		
	804 12 10	
Surplus		383 4 8

N. B.—It is to be observed, that the expenses of the last seven years do not afford a fair criterion for this estimate, the expenditure on the bridge having been conducted as sparingly as possible, in consequence of the heavy advances made by the corporation towards the new chapel, amounting altogether to about 4,000 *l.*, besides the other improvements of the town; but an expense of upwards of 200 *l.* is now contemplated for new paving the footways over the bridge, and other disbursements connected therewith.

Rental:	£. s. d.
A house and premises, in the occupation of James Smith, esq.	50 – –
Ditto late in the occupation of Mr. Charles Cooper	45 – –
Ditto in the occupation of Samuel Naylor, esq.	45 – –
A small close of meadow land, in the occupation of Messrs. Smith & Naylor	8 – –
Chapelwardens, for ground-rent	12 – –
Tenement in the occupation of James Ayres	12 12 –
Ditto ditto Henry Miller	14 14 –
Public-house under the Town-hall	12 – –
Tolls of fairs and markets, let at	6 6 –
A small piece of land, in the occupation of John Piggott	2 2 –
A small fishery in the River Thames	1 1 –
£.	591 19 8

Expenditure.	£. s. d.
Recorder's salary	2 16 8
Town-clerk's ditto	45 – –
Land-tax	1 4 –
Insurance	6 18 –
Rent of fire-engine house	3 3 –
Superintendence of fire-engine	3 3 –
The Bridgemasters, for serving the office	2 – –
Annual allowance for keeping the town-clocks in repair	4 4 –
Town-serjeant's salary	12 – –
Ditto bills for firing, candles, stationery and other incidents, and for diet of prisoners in the town-gaol, &c.	21 – –
For various other municipal expenses, such as interest on 2,000 *l.* borrowed for building new houses, allowances to constables, liveries for town-serjeant and constables, repairs of the Guildhall, bill for extra business performed by the town-clerk, &c. admission stamps for burgesses, and various public improvements, &c.	180 11 –
For charitable purposes, about	10 – –
For Maidenhead Chapel, comprising various expenses relative to the completion of the building, the consecration thereof, lighting and warming the same, salaries and allowances to clerk, pew-opener, and various incidental expenses	300 – –
N. B.—As the above chapel expenses are calculated on an average of seven years, which comprised many disbursements connected with the original establishment of the chapel, the outlay in future will be very much reduced, as it will be confined to the expenses of conservation, with occasional repairs, &c.	
£.	591 19 8

It

It will be seen upon a perusal of these accounts, that no part of the funds of the corporation are either directly or indirectly spent in entertainments. The abolition of the allowance formerly made to the mayor on this account has been already noticed; the following entry appears upon the minutes of the corporation proceedings, under the date of the 23d of Sept. 1815:

"It was agreed by the burgesses present that when any or either of them should hereafter be elected to serve the office of mayor, that they or either of them will not make a public feast."

On the 23d of Sept. 1829, the following entry occurs:

"It was proposed and seconded, that the mayor elect shall not be expected, and the motion is understood to express the wish of the corporation, that he should not invite the burgesses or any other party to the feast at the Town-hall on the day of his inauguration; which motion was adopted."

These resolutions have been faithfully adhered to; the hospitalities of the mayor are entirely optional, and on all occasions when the corporation dine together, the expenses are paid by the individual members, and not out of the corporate funds.

In explanation of those parts of the above accounts which relate to the chapel, it is proper to state, that in the year 1824 it became highly desirable to remove the site of the chapel, which had been for several centuries the property of the corporation, in order to provide more effectually for the accommodation of the inhabitants of the town in attending divine service. To effect this purpose, it was necessary to incur a very heavy expense in obtaining an Act of Parliament to authorize the removal of the chapel, in purchasing a new site, and in constructing a suitable building. A subscription was entered into among the inhabitants to meet this expense, to which subscription the corporation gave 500*l.* besides 321*l.* 10*s.* subscribed by individual members of the body. They also defrayed all the expenses of procuring the Act of Parliament, and in the whole contributed to the undertaking a sum not far short of 4,000*l.*

Patronage.

The corporation have always had the right of presenting the incumbent or chaplain to Maidenhead chapel, and this right is expressly reserved to them in the Act of Parliament authorizing its removal. The election of a chaplain is made by the mayor, bridgemasters and burgesses at a meeting in the Town-hall, and the appointment is signed by as many members of the corporation as happen to be present, and sealed with the common seal. The situation is at present worth 211*l.* 10*s.* per annum, in which sum is included the estimated value of a residence provided by the corporation for the chaplain.

The only other patronage possessed by the corporation is the right of nominating nine boys to be educated under the provisions of a charitable bequest. The boys are not boarded or clothed, the benefit they derive being strictly limited to the rudiments of education.

Local Acts.

The only Local Acts relating to the town of Maidenhead are the 12 Geo. III. c. 41. (local and public), intituled, "An Act for building a Bridge over the River Thames, near the town of Maidenhead, in the county of Berks;" and the 5 Geo. IV. c. 40. (local and public), intituled, "An Act for taking down, rebuilding and elarging Maidenhead Chapel, in the county of Berks."

Copies of both these Acts of Parliament accompany this Report.

General Prospects.

There is no particular manufacture carried on at Maidenhead, and the town is principally supported by the trade occasioned by the residence of an opulent gentry in its immediate neighbourhood. The population is increasing, and the town has been much improved in the course of the last 20 years. The management of the poor belongs to the parishes of Cookham and Bray, in which the town is situated; and the corporation of Maidenhead do not interfere in this respect. The administration of the Poor Laws in the parish of Cookham is referred to with deserved approbation in Mr. Chadwick's Report from Berkshire, in the extracts published by the Poor Law Commissioners. In that parish the rates have been reduced in the course of 12 years by means of the excellent management of a select vestry, and the constant encouragement and superintendence of the clergyman and resident magistrates, from 7*s.* 6*d.* in the pound to 1*s.* 6*d.* and are still decreasing. The poor in the parish of Bray are also well managed; but the reduction of the rates is not so remarkable as in Cookham.

As Maidenhead has never returned Members of Parliament, the exercise of the elective franchise has not, as in many corporate towns, been a subject of contention between the inhabitants and the corporation. The disposable income of the corporate body has been liberally applied for many years past to the improvement of the town and to purposes of a public nature, the benefit of which has been more or less felt by all the inhabitants. The consequence is, that with the exception of some degree of jealousy occasioned by the principle of self-election, the corporation appears to be popular, and the individual members of it are generally

MAIDENHEAD.

generally respected. There is, however, nothing in the circumstances or prospects of the town of Maidenhead which calls for a peculiar municipal institution. The original objects of establishing a corporation there, viz. the preservation of the bridge and the chapel, may now be obtained by a less complicated machinery; and in fact, the affairs both of the bridge and the chapel are at present managed by the corporation under the control of Acts of Parliament, and not according to the directions of the charters. The small amount of business actually done in the local courts seems to show the unimportance of the corporate jurisdiction for the administration of justice, and local justices of the peace can hardly be of any material use in a population so small, surrounded by county magistrates.

David Jardine.

London, Jan. 2, 1834.

REPORT

ON

THE BOROUGH OF ST. ALBAN.

(HERTS.)

CONTENTS.

	Page.
1. Limits	2918
Limits of the Borough	2918
Wards	2918
Parliamentary Boundary	2918
Liberty of St. Alban	2918
2. Charters	2918
Ancient Charters	2918
Charter of Edward VI.	2918
Title of the Corporation	2918
Election of Burgesses	2918
Mayor	2918
Principal Burgesses	2918
Steward	2918
Chamberlain	2918
Serjeants-at-Mace	2918
Members of Parliament	2919
Charter of Mary	2919
of Elizabeth	2919
of Charles I.	2919
of Charles II.	2919
Governing Charters	2919
Constitutions of St. Alban's	2919
Surrender of the Charters	2919
Charter of James II.	2919
3. Corporate Body	2919
Title of the Corporation	2919
Governing Body, or Common Council	2919
Members and Officers of the Corporation	2919
The Mayor	2920
Aldermen	2920
High Steward	2920
Recorder	2921
Common Clerk	2921
Coroner	2921
Chamberlain	2921
Assistants	2921
Serjeants-at-Mace	2921
Beadles	2921
Freemen	2922
Companies of Trades	2922
General Privileges	2922
List of Members and Officers of the Corporation	2923
General Remarks	2923
4. Jurisdiction, Criminal and Civil	2923
Extent of	2923
Magistrates	2923
Charter Justices	2923
Commission of the Peace	2924
Custos Rotulorum	2924
Commission Justices	2924
Acting Justices	2924
Clerk of the Peace	2924
Courts	2924
Quarter Sessions	2924
Petty Sessions	2924
Court of Record	2924
of Requests	2924
View of Frankpledge	2925
Court of the Clerk of the Market	2925
of Pie Poudre	2925
Juries	2925
Police	2926
Gaol	2926
5. Paving and Lighting	2926
6. Revenues	2927
1. Property of the Corporation	2927
Tolls	2927
Building	2927
Land	2927
Fines	2927
Net Income	2927
2. Disbursements	2928
7. Borough Rate	2928
Ordinary Expenses	2928
New Court Act	2928
8. Patronage	2929
9. State and Prospects of the Town	2929
Acreage and Population	2929
Assessed Taxes and Poor-Rate	2929
Parliamentary Constituency	2929
Manufactures and Trade	2930
10. List of Documents accompanying this Report	2930
Local Acts	2930
11. Proceedings at the Inquiry	2930

BOROUGH OF ST. ALBAN.

1. LIMITS.

Limits of the Borough.

THE Limits of the Borough of St. Alban are described in two indentures of perambulations, one made in 1327, and the other on the 10th April 1635. Of these perambulations, the former was made by agreement between the Abbot Hugo and the townsmen, and is recited in the charter of Charles 1st; the latter was made under the authority of that charter, for the purpose of settling disputes. The indenture of perambulation is enrolled in Chancery, and an exemplification is preserved in the corporation chest.

A perambulation was made in 1804, and again in 1830. According to these perambulations, the boundary coincides with the old descriptions, except the part along the River Ver. In the old descriptions the line is made to run along the left bank of the river; in the modern perambulations, the boundary is the *medium filum aquæ*.

The boundary is well defined by the river and boundary posts, and is not disputed. It is correctly set forth in the map of the Boundary Commissioners; in which, however, the River Ver or Verlume is misdescribed as the Colne.

The borough contains all the parish of St. Alban, *alias* Abbey parish, and parts of the parishes of St. Peter, St. Michael and St. Stephen. The remaining parts of these parishes are in the Liberty of St. Alban.

Wards.

The borough is divided into four Wards, viz. St. Peter's, Middle, Holywell and Fishpool wards. St. Peter's ward is co-extensive with that part of St. Peter's parish which is within the borough; but none of the other three coincide with any one of the remaining parishes.

In one of the Court minute books there is an entry, dated 23d March 1719, in these words; "John Weston appointed wardman of the borough." There is no previous or subsequent entry of the same kind, and the nature of the office is unknown.

Of the four Constables for the borough, one is still elected from the inhabitants of each ward. The boundaries of the wards are described in the charter of Edward 6th, and are well known; but except in the appointment of constables, the division into wards is disused.

Parliamentary Boundary.

For the purpose of Parliamentary representation, districts have been added to the east and west of the old boundaries, containing a population of 1,000 souls.

Liberty of St. Alban.

The Liberty of St. Alban extends into 22 parishes, and includes about one-third of the county of Hertford. This Liberty is a peculiar franchise.

The borough of St. Alban is locally situate within the Liberty; but each is independent of the other; they have distinct jurisdictions and privileges, and have nothing in common but the name of the ancient abbey, of which they are disjointed members.

2. CHARTERS.

Ancient Charters. Domesd. Lib. f. 135. Antiq. of Herts, 2 vol. 271. Mad. Firma Burgi. 140. Newcome's Hist. Abb. St. Alb. 206.

By many ancient Charters, the vill of St. Alban, with divers liberties, had been granted to the abbot and the church of St. Alban; and at so late a period as 1462, Edward the 4th confirmed and granted to the abbot all the privileges, liberties, franchises and jurisdictions, which were subsequently granted to the corporation after the suppression of the abbey.

On the 5th December 1539, the abbey was surrendered to the Crown, whereby the town was deprived of its ancient means of rule and government.

Charter of Edw. 6.

On the 12th May 1554, the first Charter was granted to the corporation by Edward 6th, in the 7th year of his reign.

Title.

The town was incorporated by the name of "The Mayor and Burgesses of the Borough of St. Alban, in the County of Hertford."

Election of Burgesses.

A common council, consisting of the mayor and ten principal burgesses, were empowered to choose Burgesses from among the inhabitants, at their discretion.

Of Mayor.

On St. Matthew's-day, the burgesses, or the greater part of them, were empowered to nominate two of the principal burgesses, to the intent that "the inhabitants of the borough, or the greater part of them," should choose one to be Mayor for the year ensuing.

Of principal Burgesses.

On the death, non-residence or removal of a Principal Burgess, the mayor and burgesses were directed to choose an inhabitant, not being a burgess, to be a principal burgess for life.

Of Steward.

A Steward, learned in the laws, performing the functions of a recorder, was directed to be chosen, by the mayor and burgesses, for life.

Of Chamberlain.

A Chamberlain, to continue for life or otherwise, as it might seem good to the mayor and burgesses, was to be chosen in like manner as the steward, from among the burgesses.

Of Serjeants-at-Mace.

The mayor was empowered to nominate two Serjeants-at-Mace, "to serve so long as he should be in his office, or should please."

ST. ALBAN'S.

By this charter the mayor and burgesses were authorized to choose "two discreet and honest men to be Burgesses of the Parliament," and to send the same to Parliament at the charge of the burgesses and commonalty of the borough. The borough has continued to send two members ever since. Members of Parliament.

The charter of Edward the 6th was confirmed in the 1st year of Queen Mary, by a Charter dated 18th December 1554. This charter is not extant amongst the records of the corporation, but is mentioned in the charter of Charles 1st. Charter of Mary.

Queen Elizabeth, by her Charter dated 7th February 1560, in the 2d year of her reign, confirmed both the former charters. Charter of Elizabeth.

Charles 1st, by his Charter dated 17th December 1632, in the 8th year of his reign, confirmed the former grants, created fresh officers and granted further privileges to the corporation. Charter of Charles 1.

By Charter, dated 27th July 1664, in the 16th year of his reign, Charles the second confirmed the former grants, altered the style of the common council, the title of the corporate body, and the mode of electing the officers created by the charter of Edward. He also required the high steward, recorder and common clerk (officers created by the charter of Charles 1st), to be approved by the King, before entering upon their respective offices. Charter of Charles 2.

The borough is now governed under this, and so much of all the foregoing Charters, as is not repugnant to the charter of Charles 2d. Governing Charters.

In the year 1667, a body of bye-laws was made by the mayor and common council, under the title of "Constitutions of St. Alban's." These constitutions were approved by the Lord Chancellor and Chief Justices of the King's Bench and Common Pleas, 4th July 1667. Constitutions of St. Alban's.

By these constitutions, further regulations were made for the election of corporate officers and freemen, as well as for the ordering of various matters within the cognizance of the corporate authorities.

In all matters to which they are applicable, the constitutions (with the exception of an interval in the reign of James 2d) have been always, and are still, observed as rules of practice.

By an entry in the order book, dated 25th October 1684, signed by the mayor and 10 of the 12 common-councilmen, and witnessed by the common-clerk, it appears that the Charters of this borough were surrendered into the hands of the King (Charles 2d), and Surrender of the Charters.

On the 16th March 1685, James 2d granted a new Charter, by which the corporation was made to consist of a mayor and 18 aldermen, with the other ancient officers, to be elected as before; provided that the mayor, high steward, recorder, common clerk, or any of the aldermen might be removed at the King's pleasure declared under the seal of the privy council. Charter of James 2.

This charter was accepted and acted upon; nor does it appear from the corporation books at what time the government of the borough, according to the previous charters, was resumed.

3. CORPORATE BODY.

The Title of the Corporation, by the charter of Charles 2d, is "The Mayor, Aldermen and Burgesses of the Borough of St. Alban, in the County of Hertford." Title.

The mayor and 12 aldermen are the Common Council and Governing Body of the corporation. Governing Body, or Common Council.

The mayor is elected by the inhabitants from two of the aldermen, who are nominated by their fellows. The aldermen themselves are elected by the aldermen, for life.

The Common Council holds monthly courts, at which the mayor presides. A common council may be held by the mayor and six aldermen; but no meeting is valid without the mayor. The members present vote by a mere majority, the junior voting first.

They have the sole power of appointing to all the corporate offices, of electing honorary freemen, of administering the funds, and transacting the affairs of the corporation.

The following are the Members and Officers of the Corporation, in order of precedency: Members and Officers of the Corporation.

The Mayor,
Twelve Aldermen,
High Steward,
Recorder,
Common Clerk,
Coroner,
Chamberlain,
Twenty-four Assistants,
Two Serjeants-at-Mace,
Two Beadles,
And an indefinite number of Freemen.

Officers were formerly appointed under the names of

Viewers of Streets and Highways,
Flesh and Fish Tasters,
Searchers and Sealers of Leather,
Viewers of the Market at the Cross.

ST. ALBAN'S.

These officers were probably appointed under the power granted to the mayor and aldermen by the charter of Charles 2d, to nominate from time to time, according to the custom theretofore used, such inferior officers and ministers as they might please.

The offices have long been disused.

The Mayor.

The charter of Charles 2d declares that the Mayor shall be chosen in form thereinafter mentioned, but omits to prescribe the form. A form, however, is prescribed by the first constitution, according to which the election is made.

The mayor is chosen on St. Matthew's-day (Sept. 21st). The existing mayor and aldermen are directed to elect two of the aldermen, "of whom the 24 assistants and rest of the inhabitants, assembled in the town-hall, shall choose one to be mayor from Michaelmas-day next for a year." In practice, two aldermen, not having served the office, or if there be none such, the two most remote from the chair, are nominated by their fellows; the senior not having served the office, or the aldermen most remote from the chair, being first named. The alderman so named is usually chosen mayor. In practice, all the inhabitants without distinction present at the election are allowed to vote in the choice of the mayor. A contest is of rare occurrence. There are, however, recent instances of the alderman last nominated by his fellows being chosen by the inhabitants. This has not unfrequently taken place at the solicitation of the first named alderman, and only in one or two instances against his wish. The number of inhabitants present is frequently not more than half a dozen, and seldom amounts to fifty. The election is for the most part merely nominal.

The mayor is removable for misconduct, but no instance of amotion has occurred.

Upon the death or removal of a mayor during his year of office, a new mayor is chosen for the rest of the year, in the same manner as on the charter day.

The mayor is necessarily present, and presides at the meetings of the common council.

He is a justice of the peace, and is entitled to preside at the quarter sessions for the borough, and, by the charter of Charles 1st, is a justice during the year next after his mayoralty. He is also by ancient custom a justice, and presides at the quarter sessions for the Liberty of St. Alban.

He is a judge of the court of record, is entitled to preside at the view of frankpledge, is clerk of the market, and returning-officer for the borough.

By an order of 20th September 1792, the mayor is permitted to nominate one honorary freeman during his year of office, a privilege which the Reform Bill has rendered valueless.

He has an allowance of 79 *l.* 9 *s.* from the funds of the corporation; and, by an order of 8th March 1758, is entitled to a fee of 2 *s.* on the admission of a freeman. This fee is not exacted.

The expenses of serving the office of mayor are computed to exceed the mayor's allowance by about 100 *l.* or 150 *l.*

About 10 *l.* is paid by the mayor towards the beadles' clothes; but the main expenses of the office are incurred in giving one or more entertainments to the aldermen and principal persons of the neighbourhood, in compliance with established custom.

The mayor is subject to sundry fines for refusing office or for misconduct in trifling particulars, according to a rate fixed by the constitutions. These fines are not levied in practice.

The Aldermen.

By the charter of Charles 2d, the 10 Principal Burgesses were converted into 12 Aldermen. The mode of their election was not prescribed by the charter; but by the 12th constitution, "Every alderman shall be nominated and elected within eight days after the death or removing of any of the aldermen; and the mayor shall in due time cause to be warned all the aldermen to be at the town-hall for the same end and purpose." By the 13th constitution, the aldermen, unless amoved, "shall execute their office for life," in like manner as the former principal burgesses.

The new alderman is in fact elected by the rest of the body, from among the resident freemen; or, if not free, is made a freeman before admission to his office; upon which occasion, he is expected to pay a fee of 5 *l.* 5 *s.* to the common-clerk.

An alderman is removable for misconduct, or for non-residence; but there is no modern instance of amotion. In case of ceasing to reside, it is usual for an alderman to resign.

The privileges and authority of the aldermen, as members of the common council, have been already described.

As individual members of the body, they are judges of the court of record. By the 17th constitution, each alderman may make any one of his sons free of the borough in his lifetime, whether such son be born before his father's becoming free, or after. In the instance of ordinary freemen, the son must be born after the father's admission to his freedom.

If the ex-mayor dies during his year, the senior alderman succeeds him as a justice of peace for the remainder of the year.

The aldermen are rendered liable by the constitutions to a variety of fines; *e.g.* for refusing office, and small neglects and offences. These fines are not exacted in practice.

The High Steward.

The High Steward is elected by the mayor and aldermen (the mayor being one), for life. No qualification is required; and, in practice, the office, which is usually held by some person of consequence, is merely honorary.

The high steward is required "to counsel and direct the mayor and aldermen in the business of the borough," and is a justice of the peace.

This officer was appointed by the charter of Charles 1st; by the charter of Charles 2d, his appointment must be ratified by the King.

The

ST. ALBAN'S.

The office of Recorder was created by the charter of Charles 1st, to be held during the pleasure of the mayor and aldermen; and by the charter of Charles 2d, was made subject to the King's approval. The Recorder.

The recorder is elected, under the charter of Charles 2d, by the mayor and aldermen (the mayor being one), for life. No qualification is required; but the recorder has usually been a barrister. He is a justice of the peace, and presides, for the mayor, at the quarter sessions for the borough. He also presides at the annual view of frankpledge, in the place of the ancient steward, and is a judge of the court of record.

He receives a salary of 5*l.* 5*s.* per annum.

The recorder cannot appoint a deputy, but must perform his office in person. Rex v. The Mayor of St. Alban's, 12 East's Rep. 559.

The Common Clerk (called Town-Clerk) was appointed by the charter of Charles 1st. He is elected by the mayor and aldermen (the mayor being one), to continue during their pleasure. His election is required, by the charter of Charles 2d, to be ratified by the King. He is elected from the freemen and inhabitants. The Common Clerk.

He may act by a deputy, to be appointed by the mayor and aldermen, as often as from impotency or any lawful cause he shall be unable to attend his office.

He is the officer of the court of record. He attends at the meetings of the common council and records their proceedings. He is the legal adviser of the corporation, and acts as assessor for the mayor in his capacity of returning-officer.

The present common clerk is clerk to the borough magistrates, and solicitor and attorney to the corporation. He has a salary of 5*l.* a year. He receives certain fees (now of small amount) on the admission of freemen; and certain fees on the election of Members of Parliament, amounting to 85*l.*; of which 63*l.* are paid by all the candidates, and 22*l.* by the successful ones. These are the usual fees and charges for proclamations, poll-books, poll-clerks, preparing the return, &c. The average of his annual bill is from 50*l.* to 60*l.*; and his fees as magistrates' clerk amount to the same sum.

The present common clerk is also coroner and chamberlain.

The office of Coroner was created by the charter of Charles 1st. The coroner is "a fit person" chosen by the mayor and aldermen, to continue in his office during pleasure. He is entitled to 1 *l.* upon every inquisition (25 Geo. 2, c. 29), and has no other emoluments. The Coroner.

The office of Chamberlain was created by the charter of Edward 6th. No later regulation is contained in any charter or bye-law with respect to the election of this officer; but he is now elected by the mayor and aldermen to serve during pleasure. No qualification is required. He is collector of the corporation revenues, of which he keeps the accounts; and by the 29th constitution, he is required to keep an account of all fines and forfeitures, of which none are now imposed or levied. The Chamberlain.

By the 59th constitution, he has the privilege of making indentures of apprenticeship between freemen and their apprentices, and is required to enrol the same in his book, for which he is entitled to a fee of 2*s.* 6*d.* This fee has since been increased to 11*s.* 6*d.* The number of such indentures during the last five years is 13.

He is also entitled to a poundage of two-and-a-half per cent. on monies received for the corporation.

The 24 Assistants were created by the charter of Charles 1st. They are directed "to be chosen by the mayor and principal burgesses (and now by the aldermen), to continue in their offices during life, unless for just cause removed." The Assistants.

They are required by the charter "to give their assistance and counsel to the mayor and aldermen in matters concerning the government and advantage of the borough," whenever requested so to do.

Their only duty, in practice, is to attend the mayor and common council in their gowns upon public occasions, according the 7th and other constitutions.

The jury at the view of frankpledge and court of the clerk of the market, is selected, by custom, from this body.

The assistants were formerly entitled to their freedom at a cheaper rate than other freemen by redemption; which, whilst the freedom was an object of desire, was the general inducement to accept the office. There is a fine of 10*l.* in the constitutions for refusing the office; but the fine is not exacted in practice.

There are now four vacancies in this body.

The two Serjeants-at-Mace, who are directed by the charter of Edward 6th to be appointed by the mayor, are in practice elected by the mayor and aldermen. The Serjeants-at-Mace.

Their duties are to serve the process of the court of record; to serve all processes and notices for the mayor and aldermen, and to bear a mace before the mayor.

They are entitled to a fee of 4*d.* on the admission of freemen. They usually receive one guinea on the admission of an alderman; a like sum on the admission of a candidate for the borough to his freedom, and three guineas for their services during a borough election.

The two Beadles are appointed by the mayor and aldermen during pleasure, under the general power to nominate inferior officers. Their duty is to attend the mayor with the serjeants-at-mace. They are usually made constables for the borough, and act as street-keepers in preventing the commission of nuisances, the intrusion of vagrants, and the like. The Beadles.

Each beadle receives a suit of livery from the mayor every year; a fee of 2*d.* on the admission of freemen, and a gratuity of 5*s.* 3*d.* on the admission of aldermen. The beadles also act as town-criers, for which they receive small fees.

ST. ALBAN'S.

The Freemen.

By the charter of Edward 6th, the mayor and 10 principal burgesses, composing the common council, were empowered to choose burgesses from among the inhabitants at their discretion. This discretion was regulated by the constitutions and occasional bye-laws, and has long been exercised in the manner at present in use.

The Freemen are now classed as follows; viz.

1. Freemen by Servitude.
2. Freemen by Copy.
3. Freemen by Redemption.
4. Honorary Freemen.

1. By Servitude.

The first class consists of apprentices who have served a freeman within the borough for seven years. A fee originally of 2*s.* 6*d.*, but now 11*s.* 6*d.*, is payable to the chamberlain for making and enrolling the indenture; and further fees, amounting to 1*l.* 17*s.* 10*d.*, are paid to the common clerk, serjeants-at-mace and beadles, on admission.

2. By Copy.

Freemen by Copy, are the sons of freemen who claim by virtue of their fathers' freedom. They are called "Freemen by Copy," from their title being evidenced by the entry of their fathers' admission, or by a copy of such entry, which every freeman receives upon his admission.

Any one son of a resident alderman, whom his father may name in his lifetime, may be made free of the borough, whether the father were free at the time of the son's birth or not. If the father die without naming a younger son, the eldest son is entitled to his freedom by virtue of his father's copy.

Every freeman inhabiting within the borough, may make free of the borough "which of his sons he will," born after the father's admission; and if the father die without naming a younger son, the eldest is entitled by copy.

By the 49th constitution, freemen by copy pay a fee of 3*s.* 4*d.* upon admission, towards the repairs of the Abbey church. They also pay the fees of 1*l.* 17*s.* 10*d.* as the freemen by servitude.

3. By Redemption.

By the 16th constitution, the mayor and aldermen at a monthly court are empowered to admit any persons to be free "whom they shall conceive to be needful and necessary men to be so admitted, and shall well approve of," upon payment of the sum of 5*l.* at least for Redemption. The fee exacted was usually 10*l.* This mode of obtaining the freedom was formerly resorted to by persons desirous of carrying on trade within the town, for which purpose the freedom of the town is necessary. These freemen pay the further fees of 1*l.* 17*s.* 10*d.* on admission, as the freemen by servitude.

4. Honorary Freemen.

The mayor is entitled to make one Honorary Freeman during his year of office; such freemen may also be made by the mayor and aldermen at their discretion.

It is usual to present the honorary freedom to all officers of the corporation (except assistants) not free, or required to be free at the time of their appointment. The assistants are entitled to become free, as by redemption, upon payment of a fixed fee of 5*l.*

The honorary freemen are expected to pay a fee of 5*l.* 5*s.* to the common clerk.

Until 1826, it was usual to present the honorary freedom to candidates for the representation of the borough; in that year it was ordered, that no candidate should be admitted to his freedom without paying a fee of 50*l.* In 1832 this order was rescinded, and a new order made, by which the fee payable by a candidate is fixed at 10*l.*

Companies of Trades.

The freemen were formerly entitled to exclusive privileges of trading within the borough, so that no foreigner might (except in open markets and fairs) buy or sell any wares or merchandize (except victuals) within the borough by parcels or retail, unless one of the contracting parties were a freeman; nor use any mystery, occupation or handicraft within the borough, or liberties thereof." (Charter of Charles 2d.)

A similar provision was contained in the charter of Charles 1st, upon which bye-laws were devised, and companies of trades were instituted with peculiar rules of government.

By the 32d constitution, all the crafts and occupations were divided into two companies; viz. mercers and innholders. One or more wardens were ordained to preside over the companies, in which the freemen were ordered to be enrolled, and to contribute a quarterage of 1*d.* for the use of the company. By a further series of rules, contained in the constitutions, the charter-principle of exclusion was carried into full effect, and secured by a long detail of penalties and regulations.

The older books of these companies are lost; but it appears that they continued in a state of gradual decay, until a very recent period. For many years past it had been found impossible to procure the payment of quarterages, the attendance of freemen at the wardens' courts, or the enrolment of their names in the companies' books. In the year 1822, the books ceased to be kept, and the companies are now no longer in existence.

The internal trade of the borough has long been virtually unrestricted; and although the constitutions in question have not been repealed, they are considered by the corporation to be illegal, as they seem to have been impracticable.

The privilege of exclusive trading within the borough may therefore be considered as extinct.

General Privileges of Freemen.

The Freemen are still entitled to vote at the election of the mayor, if present at the place of election; a privilege which they share with the inhabitants at large. This privilege is little more than nominal.

They were formerly entitled to vote, in common with the inhabitants paying scot and lot, at the election of Members of Parliament, and that without regard to residence.

After the privilege of exclusive trading fell into disuse, the right of voting for Members of Parliament was the only valuable privilege belonging to the freemen. This privilege will be confined hereafter to freemen by birth and servitude. And although a motive for becoming free may still be found in the capacity which a freeman possesses of communicating a vote to his apprentice, the admissions have fallen off since the Reform Bill; and, in consequence of the fees on the admission of redemption freemen, will probably continue to decrease.

The actual number of freemen is not known, but is supposed to be about 300. The number on the register for the present year is 117; of these, 33 are registered as 10*l.* householders.

List of Members, &c. of the Corporation.

The following is a LIST of the present MEMBERS of the COMMON COUNCIL and Chief Officers of the Corporation.

Office.	Names.	Profession or Trade.	Residence.	Age.	When Elected.
Mayor	Francis Kingston	surgeon	St. Alban's		June 1833
Aldermen	J. S. Story	solicitor, and clerk of the peace	ditto	52	— 1805
	W. Brown	mercer	ditto	64	— 1809
	F. Searancke	brewer	ditto	48	— 1812
	R. Webster	surgeon	ditto	50	— 1812
	T. F. Gape	esquire	ditto	41	— 1814
	R. W. Brabant	solicitor	ditto	40	— 1817
	J. T. Lipscombe	surgeon	ditto	40	— 1818
	John Wilde	maltster	Barnet	46	— 1824
	W. M. Bowen	D. D., master of the grammar school	St. Alban's	66	— 1824
	S. Jones	optician	do. & London	50	— 1827
	T. Rogers	surgeon	St. Alban's	32	— 1830
	R. Grove Lowe	solicitor	ditto	31	— 1830
High Steward and Custos Rotulorum	Earl of Verulam				— 1809
Recorder	G. Watlington	barrister	Caldecott-hill, Aldenham	70	— 1811
Common Clerk Coroner and Chamberlain	T. Ward Blagg	solicitor	St. Alban's	32	— 1827

General Remarks.

It appears from the preceding statement, that the whole government of the corporation is vested in the hands of the common council, who are self-elected and irresponsible.

The government of the corporation, however, is no longer of much importance. The corporation is a body without privileges or revenue; and the principal duty of the common-councilmen is confined to the office of justice of the peace.

Owing to the small influence possessed by the common council over the present constituency of the borough, and to the smallness of the corporate revenues, that body appears to have lost much of the political character by which it was formerly distinguished. The majority of the aldermen are attached to the same political party; but there are aldermen of an opposite party, and one or two who are dissenters in religion.

The members of the common council are persons of respectability, and rank amongst the principal inhabitants of the town.

4. JURISDICTION, CRIMINAL AND CIVIL, Extent of.

The ancient Jurisdiction of the abbey of St. Alban extended throughout the borough and Liberty: the gaol was situate within the present borough, and the sessions of the peace and other courts were held in the town.

After the dissolution of the monastery, the abbey jurisdiction was parcelled out between the newly chartered borough and the Liberty. By the charter of Edward 6th, a power was reserved for the justices of the Liberty to hold their sessions, and to have a gaol within the borough; upon which power they have always acted.

The justices of the borough, as well as of the Liberty, have exclusive jurisdiction within their respective liberties.

Magistrates.

The Justices for the borough are appointed, 1st, by the charter; and 2d, under a separate commission of the peace.

By the charter of Edward 6th, the mayor and steward of the borough are appointed, "with others to be assigned by the King's commission," to be justices for the borough, to inquire, hear and determine in like manner as other justices of the peace, in any county of England.

Charter Justices.

By the charters of Charles 1st and 2d, the office of steward was discontinued; but the high-steward, recorder, ex-mayor, and in case of his death during the year, the senior alderman, were made Justices *virtute officii*, in addition to the mayor.

ST. ALBAN'S.

Other justices are also appointed under the Commission of the Peace.

Commission of the Peace. Custos Rotulorum.

These justices are virtually appointed by the Custos Rotulorum for the borough (an office in the appointment of the Crown), in the same manner as justices are appointed by the custos rotulorum for a county.

Commission Justices.

The appointments, to the number of 30 or 40, are usually made from the principal gentlemen in the neighbourhood and the town, and from the members of the common council.

Acting Justices.

Of the whole number, not more than five or six are Acting Magistrates; these are usually common-councilmen. The other magistrates named in the commission seldom qualify, and still more rarely act.

The acting justices at present are, the mayor, ex-mayor, recorder, and five of the aldermen.

Clerk of the Peace.

A Clerk of the Peace for the borough is appointed by the custos rotulorum. The offices of clerk of the peace and common clerk are now, and usually, filled by different persons.

The present clerk of the peace is an alderman of the borough, and as such may become mayor and ex-mayor. In those capacities he would be entitled to sit as judge at the court of quarter session; whilst, as clerk of the peace, he must act as officer of the court. No real inconvenience, however, as occurred from the union of the offices.

Courts.

The Courts which are, or may be, held within the borough, are—

The Quarter Sessions,
The Petty Sessions,
The Court of Record,
The Court of Requests,
The View of Frankpledge,
The Court of the Clerk of the Market,
The Court of Pie Poudre.

Quarter Sessions.

The Court of Quarter Sessions is regularly held before the mayor and his companions, who have the ordinary jurisdiction conferred by the commission of the peace.

The mayor is entitled to the chair; but the recorder actually presides.

The clerk of the peace for the borough is the officer of the court. The business of this court is very small; although all felonies are tried there except those which, in case of conviction, might require the infliction of capital punishment. The average number of felonies is less than two at every session. The number of misdemeanors and appeals is also inconsiderable.

The costs of prosecution are smaller than at the county sessions; both in consequence of the scale of fees allowed being lower, and the cost of witnesses being rendered inconsiderable by the limited extent of the jurisdiction.

Petty Sessions.

The Petty Sessions are held every Saturday before the mayor (who is usually present) and any other of the justices who may attend.

The fees allowed at the petty sessions are about to be revised and lowered. The present scale was settled about 30 years ago.

Court of Record.

A Court of Record, to be held before the mayor, aldermen and recorder, or any two of them (the mayor or recorder being one), or, in their absence, before two or more of the senior aldermen, was directed by the charters to be held on Friday in every week for ever.

The court was directed to proceed in all particulars according to the custom of the city of London, and might hold plea in all actions personal or mixed to the value of 38 *l.*; and by the charter of Charles 2d to the value of 50 *l.* It was further directed that the mayor and aldermen (the mayor being one) might choose "three or four expert and fit men, being freemen of the borough," to be the sole attornies of the court.

The common clerk was the officer, and the serjeants-at-mace were to execute the process of the court.

By the old books of this court, it appears that in the beginning of the last century eight or ten causes were frequently entered at one court. It seems, however, that shortly after the establishment of the court of requests in 1752, the business of the court began to decline: in 1770 the court was almost deserted; from that period there were no defended actions, and in 1789 the court was discontinued.

It seems that the court was never held before the recorder.

At a court of the mayor and aldermen, held in June 1832, a committee was appointed to consider the propriety of reviving the court of record; but in consequence of the introduction of the late bill for the establishment of local courts, the committee did not proceed in their inquiries.

The revival of the court is much desired by a great body of the inhabitants, and by the members of the common council. The present grounds of delay are the apparent necessity of limiting the practice of the court to four privileged attornies, and the want of a judge duly qualified to determine questions of law.

This is justly regarded by all parties as a serious evil, and will probably prevent the revival of the court.

Court of Requests.

By an Act of 22 Geo. 2, for the speedy recovery of small debts in the Borough and Liberty of St. Albans, the mayor, aldermen and recorder of the borough, and the justices of the Liberty, or any seven of them, are authorised to assign "so many fit, able and substantial inhabitants as with the mayor, aldermen and recorder will make ninety-six" in the whole,

to

to be commissioners of "the Court of Requests," for the recovery of debts not amounting to 40*s.* A certain number are also assigned by the same persons for the Liberty; but the two courts are otherwise distinct.

Of the borough commissioners, eight are summoned every month, in order of rotation, to act for the month; but any other of the commissioners may attend and act at their pleasure.

A court is held every Saturday before the commissioners for the month, or any three of them.

The commissioners are required to decide "as to them shall seem just in law or equity;" and may award execution with costs against the body or goods of the party against whom judgment is pronounced. The term of imprisonment "of debtors or defendants," is limited by 26 Geo. 3, c. 38, to 20 days, when the debt does not exceed 20*s.*; and to 40 days, when it does not exceed 40*s.*

The court for the borough of St. Alban is regularly held, usually before three commissioners, and sometimes before four or five.

One of the commissioners is more constant in his attendance than the rest, and usually presides throughout the year.

The acting commissioners are small tradesmen, and none of the members of the corporation, or of the higher class of inhabitants, intermeddle.

The fees of court on proceedings to execution against defendants are 7*s.* 2*d.* The expense of the trial is small; as the parties are usually examined upon oath, and bring no witnesses.

The defendants in this court are usually persons who live upon wages, and are seldom possessed of goods which would satisfy the plaintiff's debt and costs. The execution, therefore, is almost always against the body. Of 387 suits commenced in the last year, process against the person was issued in 56; against the goods, only in one.

It is said that this easy remedy against the debtor's person, enables the labourer to obtain a pernicious credit at the shop and the ale-house, producing habits of imprudence and dissipation; and that permitting the defendant to give evidence for himself upon oath has led to a complete disregard of that sanction.

Nothing was said with respect to the effects of imprisonment in the Liberty gaol, although from what will appear under that head, imprisonment in the gaol can scarcely fail to be followed by evil consequences more easily noted than the supposed effects of the debtor's liability to arrest.

Complaints are also made as to the incompetency of the commissioners to act as judges, both from their station in life and their ignorance of law. Upon the whole, however, the court appears to be generally considered as a useful institution.

The following Table is abstracted from Returns prepared by order of the Home Secretary, in the years 1826 and 1827.

	1826.	1827.
Suits commenced below 20*s.*	287	310
Ditto above 20*s.*	227	190
Total	514	500
Number of executions ordered	165	204
Amount for which ordered	£. 188. 17. 7.	£. 235. 11. 8.
Number who paid without imprisonment	130	127
Number went away, or not found	19	61
Number actually imprisoned	16	16
Amount recovered with imprisonment	£. 5. 14. 4.	£. 1. 15. 10.
Ditto without imprisonment	£. 119. 1. 4.	£. 109. 15. 6.

View of Frankpledge.

A View of Frankpledge, at which the assistants, or, in their absence, any other inhabitants are sworn upon the jury, is held every year for the presentment of constables. The jury also present all nuisances and obstructions within the borough. This presentment is signified to the parties offending, but is followed by no compulsory steps. By the charters, the court is directed to be held before the mayor or recorder: in practice, the latter officer presides.

Court of the Clerk of the Market.

The mayor, as Clerk of the Market, holds an annual court in the month of August, at which all persons selling by retail within the borough are required to attend with their weights and measures, to be there examined and verified. All defaulters are fined.

At this court, the jury is selected from the assistants, who try the weights and measures. As it never happens that false weights or measures are brought in by their owners, the court is of no practical utility.

Court of Pie Poudre.

The Court of Pie Poudre is totally disused.

Juries.

The Juries at the quarter sessions are summoned from the inhabitants at large; the grand jurors being selected from the most respectable class.

The inhabitants of the borough are exempted by charter from serving on juries without the borough.

ST. ALBAN'S.

The persons qualified to serve are summoned by the serjeant-at-mace. They are summoned as nearly as may be according to their turns of service.

Police.

The Police force consists of a high-constable, appointed at quarter sessions; of four constables presented by the Leet jury; the two beadles, and three night-watchmen. The constables are selected from each ward, but act throughout the borough.

They are selected from the class of smaller tradesmen, and sometimes from a superior class.

They are allowed to appoint a deputy; and one or two of them always act by deputy. The high-constable receives a salary from the borough rate, which, with small payments to the petty constables, amounts to 20*l.* a year.

The petty constables receive 5*s.* each for attending at the quarter sessions, and small fees on the service of warrants.

The functions of the beadles have been already described.

The watchmen are appointed by the commissioners under the "Paving and Lighting Act," but they are also sworn in, and occasionally act as constables.

The whole body are in fact under the control of the mayor and acting magistrates.

There is no system of police; the officers acting without concert, in obedience to particular orders. The deputies, who are constantly re-chosen, and who receive two or three guineas from their principals, in addition to their fees, are the most active and useful officers.

Gaol.

There was formerly a Gaol for the borough, situate under the old town-hall. When that building was taken down, an agreement was made between the justices for the borough and Liberty that the borough prisoners should be committed to the Liberty gaol, and kept there at the expense of the borough, the borough paying one-third of the costs of repairing the gaol.

The terms of this agreement are now enforced by a provision in the "New Court Act" mentioned hereafter.

The gaol is situate within the borough, and is divided into a gaol and house of correction. The gaoler is appointed by the hundredor, who is the hereditary Lord of the Liberty, and paid out of the Liberty rate. The keeper of the house of correction is appointed by the borough magistrates, and paid out of the borough rate. The gaol and house of correction are both under the superintendence of the justices for the Liberty; but as some of the borough justices are usually in the Liberty commission, the borough magistrates have in fact a share in the management.

The gaol is an ancient building, which was formerly the principal gateway to the abbey. In the house of correction there is a yard for the men, but none for the females. In the gaol there is a yard for the men, but none for the women or for debtors of either sex. Besides the want of airing grounds, the building affords no means of classifying the prisoners. At the time of my visit, 11 persons were together in the gaol yard, of whom some were confined upon convictions or charges of various felonies, and others of misdemeanors. In the same yard were two debtors in execution for small debts of 18*s.* and 15*s.*, under process from the court of requests, and who could only get fresh air in the prisoners' yard.

The building itself is ill adapted to the purposes of a gaol, and scarcely admits of improvement.

5. PAVING AND LIGHTING.

An Act (44 Geo. 3.) was obtained in 1803, for Paving, Lighting and Watching the borough.

The mayor, aldermen, high-steward, recorder, town-clerk and assistants are *ex officio* commissioners, together with 125 other persons, comprising a large proportion of the better sort of inhabitants. The commissioners fill up their own body upon vacancies by death, removal from the borough, becoming an *ex officio* commissioner, or refusal to act; and "none shall act unless he is in possession of rents and profits of lands or other hereditaments of the value of 10*l.* per annum, or be heir of the owners of an estate of 20*l.* per annum, or be possessed or entitled to a personal estate of 250*l.*"

The commissioners are authorized to raise money by rates, not exceeding 1*s.* 6*d.* in the pound, upon tenants or occupiers of lands, houses, &c. rated to the poor-rate; such rates to be made according to the valuation for the poor-rate. The rates are levied, upon non-payment, by distress and sale.

The commissioners are also authorised to receive one-half of the composition for statute duty from the surveyors of highways.

They are also empowered to raise 4,000*l.* upon annuity, or mortgage of the rates.

The streets are well paved; the town is lighted with gas, and three watchmen are appointed under the Act.

The cost of obtaining the Act was 330*l.* 13*s.* 9*d.*

The following is an abstract of the last year's account:

Dr.	£.	s.	d.		Cr. £.	s.	d.
Half the surveyor's composition	113	15	6	Ordinary expenses - -	352	14	3
Rates - - - - -	439	10	11	Salaries, &c. - - -	30	19	9
	553	6	5				
Balance - - -	20	7	7	Annuities - - - -	190	–	–
£.	573	14	–	£.	573	14	–

It appears, therefore, that (independent of the debt) the whole ordinary cost of paving and lighting under the Act, and repairing the highways within the borough, is,

	£.	s.	d.
By commissioners' expenses	383	14	–
Residue of surveyor's composition	113	15	6
TOTAL £.	497	9	6

A general repair of streets and roads was begun in the last year, towards which a sum of 700*l.* was borrowed on bond, at 5 per cent. Of this sum, 275*l.* was expended in the last year.

The yearly payments for money borrowed are now,

	£.	s.	d.
By annuities	190	–	–
Interest on bonds	35	–	–
TOTAL Interest of Debt £.	225	–	–

6. REVENUES.

The Revenues of this corporation are derived from tolls, a building and land.

1. Property of the Corporation.

Tolls.

The Tolls are taken at fairs and markets. Four fairs in the year, and a market twice in the week were granted to the town by the charters of Edward 6th and Charles 2d.

Two fairs are only held at present; viz. at Lady-day and Michaelmas; and one market, on Saturdays.

The tolls are principally tolls of corn, and are taken at the market. The toll of wheat is one pint from every load of five bushels; of other grain, one pint from every sack.

The principal sales, amounting to three-fourths of the whole, are made by sample. No toll is taken on such sales.

The small tolls are for wares exposed to sale in baskets, 1*d.* per basket; and various charges for stalls, according to their size.

At fairs the tolls are payable for stalls and piccage only. Both fairs are cattle fairs, and a toll is taken for cattle.

Building.

The corporation is possessed of an ancient Building, with a house attached, called the clock-house. This building was conveyed to them in the 29th year of Elizabeth, "for the public use of the burgesses of the borough, as of old it had been used." The house and lower part of the building are let as a shop; in the upper part there is a public clock, which is repaired at the expense of the corporation.

Land.

The Land belonging to the corporation consists of a small plot, and the waste soil of the borough. The waste consists of small pieces by the side of the streets and roads, and is of little value, except for the purpose of holding fairs. The corporation have also a pound; the right of fishery in the river Ver; and pews in the Abbey church; from these no profit is derived.

Fines.

They are entitled by charter "to all Fines set and imposed at the quarter sessions for the borough; to all fines levied at the clerk of the market's court; and to all deodands and estrays." The average of these fines for the last five years has been 1*l.* 3*s.* 3*d.* per annum.

The fines on the admission of freemen were formerly a source of considerable profit, which has been greatly diminished by the Reform Bill, and can never be restored. When the order was in force for compelling the candidates for the representation of the borough to pay a fine of 50*l.* on their admission as freemen, the corporation received 200*l.* at a single election.

The penalties imposed by the constitutions upon persons refusing to accept offices, and for a great variety of defaults in office, were formerly very numerous and productive. Although the bye-laws have not been repealed they have long fallen into disuse, and the fines are no longer imposed.

Net Income.

The following is a statement of the actual Income of the corporation:—

	£.	s.	d.
Rent of tolls	150	–	–
Clock-house	35	10	–
Land and quit rents	2	1	6
Fines	1	3	3
TOTAL £.	188	14	9

The regular account books commence with the year 1731. The property of the corporation at that time appears to have been more, though not much more, than at present. Some small alienations must have been made, which I could trace in the books.

ST. ALBAN'S.

The revenues in 1733–34, the first year for which there are complete accounts, were 238*l.*; and for the year following, 236*l.* Since that date, (except in years when batches of freemen were admitted,) the regular income has gradually declined; principally from a falling off in the amount of fines and fees.

2. Disbursements.

The following are the regular annual Disbursements:—

	£.	s.	d.
Mayor's allowance	79	9	–
Recorder's salary	5	5	–
Common Clerk's yearly bill	65	13	9
Land-tax on tolls and rates, &c.	12	18	1
Common Clerk	3	3	–
Sundries	4	1	2
TOTAL £.	170	10	–

The common clerk's yearly bill includes his salary as common clerk and chamberlain, his bill for law expenses and for attendances at corporate meetings, drawing minutes of proceedings, and acting, in fact, as clerk to the common council.

The disbursements for the last century have been of a similar description with those contained in the foregoing statement.

From the sum of 200*l.* received for candidates' fees, and from the small yearly balance, and other casual receipts, the corporation have expended during the last six years—

	£.	s.	d.
For repairs of market-house, clock-house, engine-house, &c.	129	6	1
Perambulating boundaries and renewing boundary-posts	84	10	8
Subscription to the repairs of the Abbey church	50	–	–
Sundry public expenses	82	6	10
TOTAL £.	346	3	7

There is still a balance in hand, and 50*l.* rent arrear.

The chamberlain's books are regularly kept, and audited at a monthly court. The account is never published, and is only accessible by members of the common council.

7. BOROUGH RATE.

A Rate is levied for the borough, in the nature of a county rate, and is applicable to the same purposes.

Ordinary Expenses.

The heads of last year's expenditure were as follows:

	£.	s.	d.
High and petty constables	20	5	1
Clerk of the peace	47	–	4
Gaol, prosecutions, &c.	102	4	–
Treasurer, &c.	26	10	6
Ordinary expenses	195	19	11
New Court Act	263	7	4
TOTAL £.	459	7	3

New Court Act.

The last item is the amount of monies levied for the payment of the interest, and part of the principal of a debt incurred in the erection of a new court and common council chamber.

By an Act, 14th May 1829, it was provided that a new court-house should be built for the use of the Borough and Liberty. Money was to be raised for the purpose by voluntary subscription; and of the deficiency, the Liberty was to make up two-thirds, and the borough one-third. The cost of repairing the new building was to be borne in the same proportions. The Liberty and borough rates were made chargeable with any sum which might be necessary to complete the building.

The old town-hall was pulled down, and a new court-house (containing a room for the common council) has been erected in pursuance of the Act.

The cost of obtaining the Act was 760*l.* The law expenses, independent of the Act, were 400*l.*; building and furnishing, 11,040*l.* Total, 12,200*l.* Of this sum 4,066*l.* 13*s.* 4*d.*, being one-third, was due from the borough. To meet it, the borough rate was charged with a loan of 3,000*l.* at five per cent. The materials of the town-hall were sold and applied to the same purposes, and a sum still remains due to the Liberty.

The Borough account stands as follows:

	£.	s.	d
By money borrowed	3,000	–	–
Balance due	358	14	3
Total Debt £.	3,358	14	3
Materials of town-hall	707	19	1
TOTAL £.	4,066	13	4

The

ST. ALBAN'S.

8. PATRONAGE.

The Abbey Church.

The Abbey Church was granted to the burgesses by Edward 6th, in consideration of 40*l.* and a fee-farm rent of 10*l.* per annum. This rent was conveyed to one Richards, by deed dated 30th July 1684, in trust for the mayor and aldermen, upon payment of 200*l.*

The church, in size and magnificence, is equal to our larger cathedrals. No provision being made for its repair, it is with difficulty that this noble building is kept in a fit state to serve even for a parish church.

The benefice is in the gift of the corporation. The parson's income is derived from surplice fees, Easter-offerings, and considerable fees upon burials in the church. The average value of the living is estimated at 200*l.* or 250*l.* per annum.

The incumbent is not a member of the corporation.

Grammar School.

Report of Charity Commissioners.

By the charter of Edward 6th, power was given to the mayor and burgesses to erect a Grammar School in the town, to make rules, and to appoint a master.

By divers other charters and bequests, the endowments of the school have been increased to the present amount of 157*l.* 5*s.* per annum.

Under a decree of the Court of Chancery, the master is now elected by eight trustees, of whom four are members of the common council.

The present master, who is a common-councilman and a magistrate, was appointed 30 years ago, with a salary of 60*l.* per annum.

The rest of the revenues is spent in repairs and incidental expenses.

Raynshaw's Charity.

Raynshaw's Charity consists of 11 rooms, which are inhabited, rent-free, by 10 poor persons of the town.

These persons are appointed by the mayor and aldermen, acting upon the recommendation of the clergymen of the several parishes.

Lathberye's Charity.

Gawen's Charity.

Thomas Lathberye left an annual sum, now amounting to 45*l.* a year, to be distributed amongst the poor of the town; and Thomas Gawen left another sum, of which 40*l.* a year is distributed amongst the poor of the Abbey parish, at the discretion of the mayor and aldermen.

These sums are distributed according to the recommendation of the parish officers.

Goldsmythe's Charity.

Goldsmythe's Charity, an annual sum of 20*s.*, is annually distributed in like manner.

Hall's Charity.

A further yearly sum of 40*s.*, called Hall's Charity, was formerly distributed in like manner. This sum is now paid by the Earl of Verulam (the custos rotulorum for the borough), under circumstances detailed in the Report of the Charity Commissioners.

9. STATE AND PROSPECTS OF THE TOWN.

Acreage.

According to an ancient map, dated in 1634, and preserved in the corporation chest, the square contents of the borough are 282 acres, 1 rod; according to the Population Return for 1831, they are 320 acres.

Population.

The Population in	1801	was 3,038
	1811	— 3,653
	1821	— 4,472
	1831	— 4,772

Pop. Ret. 1831.

The parliamentary boundary included, in the latter year, a population of 5,771.

Ibid.

In the same year, the families employed in agriculture were	92
in trade and manufactures	560
not comprised in either class	453

Assessed Taxes.

The Assessed Taxes for years ending 5th April:

	£.	s.	d.
In 1829, were	1,936	18	8½
1830	1,977	18	11¼
1831	1,964	6	5¼

Parl. Rep. 1831, No. 69.

Poor-Rate.

The Poor-Rate actually collected for the year ending Lady-day 1833, amounted to 2,134*l.* 13*s.* 6*d.*

Parliamentary Constituency.

The present Constituency of the borough (which still returns two Members to Parliament) consists of the 10*l.* householders, the freemen, and inhabitants paying scot and lot upon the present register (1833).

In the register for 1832, there were,

10*l.* householders	264
Freemen	118
Inhabitants paying scot and lot	275
TOTAL	657

ST. ALBAN'S.

In the register for 1833, there are,

10*l.* householders	254
Freemen	117
Inhabitants paying scot and lot	243
	611
Deduct, freemen registered as 10*l.* householders and scot and lot	35
	576
Registered twice	2
TOTAL Number of Voters	574
Voters in the register for 1832	657
— for 1833	574
DECREASE	83

The greatest number of voters ever polled before the Reform Act (April 1831) was 656.

Manufactures. With the exception of the straw plat, the only Manufactures of the town are carried on in one silk mill and one cotton mill, driven by the common water power. The silk and cotton manufacture are said to be declining. The straw plat, called *Tuscan*, is of recent introduction, and is extensively carried on at present. The loom by which the work is performed is seen in almost every cottage. The manufacture seems likely to increase the number of the poor, without adding to that of the rich; as it is carried on by many individuals with a small or scarcely any capital.

Trade. The Trade of the town is confined to the supply of articles of ordinary consumption.

There are but few persons of much property among the residents, and a large population of poor. The town is described as being stationary, and with no present prospect of advancing in wealth or consequence.

10. DOCUMENTS. Copies of the following Documents accompany this Report:

(A.) The Charter of Edward 6th.

(B.) The Charter of Charles 1st.

(C.) The Charter of Charles 2d, and the Constitutions of St. Alban's.

Local Acts. (D.) An Act for the more easy and speedy recovery of Small Debts within the Borough of St. Albans, in the county of Hertford; and the several towns, parishes, wards, hamlets and places within the Liberty of St. Albans. [25 Geo. 2, c. 38.]

(E.) An Act for paving the footways and cross-paths, and for cleansing, lighting, watching and regulating the streets and other public passages and places within the Borough of St. Alban, in the county of Hertford. [44 Geo. 3, Sess. 1803–4.]

(F.) An Act for building a new Court-House for the Liberty and Borough of St. Alban, in the county of Hertford. [Royal Assent, 14th May 1829.]

11. PROCEEDINGS AT THE INQUIRY. I think it proper to state, that immediately before my inquiry began at the council-chamber of this corporation, in St. Alban's, the town-clerk informed me that he was instructed by the corporation to give every information to the Commissioner respecting the municipal government of the borough, and to afford every facility for investigating the public records and muniments of the corporation, although he conceived that they were under no legal obligation to do so, and that the Commission was unconstitutional.

I should further state, that every information and facility were in fact afforded, and that the town-clerk, in particular, had taken great pains in collecting evidence upon every topic within the scope of my inquiry.

1st February 1834. *C. Austin.*

REPORT

ON

THE CORPORATION OF WINDSOR.

CONTENTS.

	Page
Limits	2932
Charters	2932
Title	2932
Corporate Body	2932
Officers:	
Mayor	2933
High Steward	2933
Under Steward and Common Clerk	2933
Recorder	2933
Town Clerk	2933
Justice	2933
Bailiffs	2934
Chamberlain	2934
Inferior Officers	2934
Freemen	2934
Fees on Admission	2934
Fines on refusal to serve	2934
Courts:	
Sessions	2934
Fees	2934
Court of Record	2934
Court of Piepowder	2934
Juries	2935
Police	2935
Gaol	2935
Property	2935
Patronage	2935
Local Acts	2936
General Prospects	2936

CORPORATION OF WINDSOR.

Limits.

1. THE Limits of the Borough comprehend the whole of the parish of New Windsor, the hamlet of Dedworth, and a part of the parish of Clewer. The old borough, which varies but little in extent from the new Parliamentary borough, is correctly described in the Map of the Boundary Commissioners.* It contains a population of about 6,500 persons.

Charters.

2. The borough of New Windsor does not now claim any privileges by prescription; but as a mayor and bailiffs are mentioned in very ancient documents, it is probable that there were earlier Charters of incorporation than any of those at present in existence. The first charter of which any traces are now to be found, was granted by Edward I., who in the fifth year of his reign (1277) gave the inhabitants of New Windsor a merchant guild and several liberties and immunities. The same king, in the ninth year of his reign (1281), gave the whole borough to the burgesses, to be holden by them for ever of the Crown, at a rent of 17*l.* Henry VI., by a Charter granted in the 17th year of his reign (1439), reduced the amount of this rent, and confirmed the fifth Edward I. He also granted to the burgesses a freedom from tolls throughout England, all fines and forfeitures within the borough, the exclusive cognizance of real and personal pleas, the return of writs, and a jurisdiction to try all offences committed within the borough excepting felony. In the 23d year of his reign (1444) the same king, in consideration of the surrender of the charter of the ninth of Edward I., re-granted the borough to the burgesses at a diminished rent.

Edward IV., by an inspeximus charter granted in 1462, confirmed the 17th of Henry VI., and by another charter dated in the sixth year of his reign (1466), after reciting that the inhabitants were reduced to great want and distress, and that part of 200 acres of land adjoining the town, upon which they had immemorial rights of common, had been lately inclosed by the king "to make a park thereof," incorporated the mayor, bailiffs, burgesses and inhabitants, remitted to them a part of their rent for the borough, and granted them a license to hold an annual fair.

These two charters of Edward IV. were confirmed by inspeximus charters of the 15th of Henry VII. (1499), the sixth of Henry VIII. (1515), and third of Edward VI. (1549); none of which confer any new privileges.

In the first year of the reign of James I. (1603), a new charter of incorporation was given to the borough, in which most of the above mentioned grants are recited and confirmed. The provisions of the charter of James are precisely similar to those of the present governing charter, which is dated the 16th Car. II. (1664.) This latter charter was surrendered to Charles II. about the year 1684, and a new one granted in the first year of the reign of James II.; the charter of Charles II. was, however, resumed upon the proclamation for restoring surrendered charters in 1688, and has been acted upon ever since.

Title.

3. The Title of the corporation under the governing charter is, "The Mayor, Bailiffs and Burgesses of the Borough of New Windsor, in the County of Berks."

Corporate Body.

4. The Body Corporate, under the general name of the mayor, bailiffs and burgesses, consists of a fraternity, the formation of which is described in the charters of James I. and Charles II., according to the ancient usage. The members of this body, who are named "The Brethren of the Guildhall," and constitute the common council of the corporation, in the words of the charter—"may and shall be" 28 in number, and shall not exceed 30. Of this fraternity, 13 are called benchers; and of these again, 10 are called chief benchers or aldermen, of whom the mayor for the time being is one; the remainder of the brethren are called "Younger Brethren of the Guild," or common councilmen. The whole common council therefore is composed of—

Ten Chief Benchers, or Aldermen,
Three Benchers, and
Fifteen or seventeen Younger Brethren, or Common Councilmen.

Chief Benchers; how elected.

Upon the death or removal of one of the Chief Benchers or Aldermen, the remaining benchers, or the major part of them, may elect a successor from their own body.

The

* In the description of the boundary of the new borough in the stat. 2 & 3 Will. IV. c. 64. Schedule (O.) a mistake has occurred in naming one of the points, the effect of which is, to exclude from the new borough an inhabited portion of the old borough. The mistake has arisen from confounding a well known place, called "The Goswell Ditch," with a ditch dividing two fields, called "The Goswells."

The Benchers are elected upon vacancies by the remaining members of the body of 13, from the inhabitants of the town. Benchers; how elected.

The Younger Brethren, or Common Councilmen, are elected in the same manner, and by the same body, from the inhabitants of the town. Younger Brethren; how elected.

All the members of the corporate body hold their respective situations for life, but are removable for misconduct by a majority of the 13 benchers.

5. The Officers of the corporation named in the charter of Charles II., are— Officers.

A Mayor,
A High Steward,
An Under-Steward or Town Clerk,
A Justice, and
Two Bailiffs.

There are also a Chamberlain and a Serjeant at Mace, who are not chartered officers.

6. On the first Monday in September in every year, the brethren of the Guildhall, not being benchers, nominate three aldermen to the 13 benchers, who then elect one of the three aldermen so nominated, as Mayor for the ensuing year. The new mayor is sworn in on the Monday next after Michaelmas-day. Mayor.

The mayor is chief magistrate within the borough; presides in the court of quarter sessions; and by the constitution of the court of record, his presence is necessary to form that court. He is also clerk of the market, and returning officer at elections of Members of Parliament. He is not named in the charter as coroner, but he has always acted as such, and the jurisdiction of the county coroner is expressly excluded.

The mayor receives an allowance of 60*l.* from the corporation funds; but the expenses imposed upon him by the customary hospitalities of his office far exceed that sum. He has no incidental emoluments.

7. The High Steward, who, by the charter, must be "an eminent man" (*vir præclarus*), is chosen by the mayor, bailiffs and burgesses, or the greater part of them. He holds his office "for one whole year after his election, and from thence until a successor is appointed." High Steward.

The high steward must be approved by the Crown before he enters upon his office. He has no assignable functions, and no salary or emoluments.

The present high steward is His Royal Highness the Duke of Cambridge.

8. By the governing charter, the corporation are entitled to nominate a "discreet man learned in the Laws" to be Under-Steward and Common Clerk of the borough. He is to be elected by the mayor, bailiff and burgesses, and holds his office "for one whole year, and from thence until a successor is appointed." Although only one person is expressly appointed by the governing charter to act as under-steward and common clerk, it is probable, from several expressions in that charter (which is inaccurately penned), that two officers were contemplated; one of whom was to exercise the functions of Recorder, and the other to act as Town Clerk. We have not been able to find any mention of a recorder in the earlier documents of the corporation, and it appears to be doubtful whether he is *eo nomine* an ancient officer; but in modern practice, a recorder and a town clerk have been invariably elected upon vacancies as separate officers, under the clause in the charter which describes the election of the under-steward and common clerk. Under Steward and Common Clerk.

The under-steward and common clerk must be approved by the Crown before they exercise their functions.

The duties of the recorder are not defined by the charter; in practice, his only function is to assist the mayor and justice as their assessor in the court of quarter sessions. In accordance with the charter and ancient usage, he is always one of the two persons nominated for the office of justice of the peace in the manner hereafter described; but as he does not usually reside within the borough, he is never actually chosen. The recorder or under-steward has no authority by the charter to appoint a deputy; in practice, however, the present recorder has frequently deputed a barrister to attend for him at the sessions, in case of his illness or unavoidable absence.

Sir Giffin Wilson, a Master in Chancery, is the present recorder, and he always attends at the quarter sessions personally or by deputy.

The recorder has an annual salary of 20*l.*

The functions of the Common or Town Clerk are to transact the law business of the corporation, to keep their charters, books and muniments, and to enter minutes of their proceedings. He acts as clerk of the peace in the borough, and assists as the officer of the court at the quarter sessions. It is also his duty to draw the indictments, and to keep the records of the court.

WINDSOR.

He has no salary, and his only emoluments are his professional charges for business done, and his fees as clerk to the borough magistrates.

Justice.

9. The election of the Justice of the Peace for the borough is similar to that of the mayor. On the first Monday in September in every year, the brethren of the Guildhall, not being benchers, nominate two persons, one of whom must be an alderman and the other the under-steward, to the intent that the benchers may elect one of them as justice for the ensuing year. As the recorder or under-steward is not elected on account of his non-residence, the alderman is always chosen. It has for many years been usual to nominate and elect the mayor who goes out of office as justice for the ensuing year.

He acts as a justice of the peace, and, with the mayor, presides at the quarter sessions.

The justice has no salary or emoluments.

Bailiffs.

10. The two Bailiffs are annually elected, on the same day as the mayor, by the mayor and aldermen, from among the body of "Brethren of the Guildhall."

The bailiffs summon juries and execute process within the borough; they are also by the charter keepers of the gaol.

They have no salary or emoluments.

Chamberlain.

11. The Chamberlain is annually appointed by the mayor, aldermen and burgesses.

His duties are to collect the rents, make the payments and keep the accounts of the corporation; rendering his accounts annually to the mayor, bailiffs and burgesses.

He has a salary of 10*l.* a year.

Inferior Officers.

12. A Serjeant at Mace, Hall Keeper and Gaoler are appointed by the corporation upon vacancies, and hold their offices during pleasure. The actual duties of the serjeant at mace are merely to carry the mace and to attend upon the mayor. He receives a salary of 15*l.*, a livery, and some small fees at the sessions.

The hall keeper has 15*l.* a year, a livery, and some perquisites.

The gaoler receives 30*l.* a year and his clothes; he has also a residence in the gaol rent-free, and receives small fees as a tythingman.

Freemen.

13. By an express clause in the charter, all persons who are not Freemen are restrained from selling by retail within the borough; but this exclusive privilege has long fallen into disuse, and as the elective franchise before the Reform Act was vested in the scot and lot inhabitants, no motive has for many years existed for becoming free of the borough. It is not known with accuracy how the title to freedom was formerly acquired. It is considered that all persons who are elected members of the corporate body must previously become free; and in such cases the freedom is granted to them without any fine or payment. Honorary freemen are also occasionally made by the corporation.

Fees on Admission.

14. No Fees are paid upon admission to any office in the corporation. In all cases where the freedom of the borough is now bestowed, either by way of compliment or as a step to office, the expense of the stamp is defrayed out of the corporate funds.

Fines on refusal to serve.

15. Under an ancient bye-law, the corporation have power to impose discretionary Fines upon persons refusing to serve the offices to which they have been elected. No fines have however been imposed for many years.

Courts.

Sessions.

16. The only Court held within the borough is the Quarter Sessions of the Peace, which is holden quarterly before the mayor and justice, assisted by the recorder. By the charter, the mayor and justice have an exclusive jurisdiction to try all kinds of offences not affecting life and limb. The number of trials in this court within the last three years is 63: of which 54 have been felonies and nine misdemeanours.

Fees.

A list of the Fees taken at the borough quarter sessions accompanies this Report.

Court of Record.

17. By the charter a Court of Record may be holden within the borough every Monday before the mayor, aldermen, bailiffs and under-steward, or any three or more of them, of whom the mayor must be one; with power to try all real, personal and mixed actions in which the debt or damages to be recovered do not amount to 40*s.*

This court, which was much frequented until the beginning of the last century, is now wholly fallen into disuse, not having been holden within living memory.

Court of Piepowder.

18. A Court of Piepowder is also granted by the charter, which was holden on one occasion about 17 years ago.

19. The

19. The Juries for the sessions are selected by the bailiffs from the rated inhabitants of the borough. In order to distribute the burthen as fairly as possible, and to leave no room for a partial selection, the names of the grand and petty jury are placed in two bags, and a sufficient number for each sessions are then indiscriminately drawn. Juries.

The corporation appoint two constables and four tythingmen, who are merely parish constables, and receive no payment for their services.

20. There is no systematic Police in the town, but the commissioners of the pavements under the local Acts, among whom the mayor, justice and under-steward of the borough for the time being are named, appoint a night-constable and six watchmen, who have power to apprehend vagrants and disorderly persons. These watchmen are paid by the commissioners out of the funds vested in them for the purposes of the local Acts. Police.

Much inconvenience arises from the circumstance that the charter authorizes no more than two borough magistrates. It is important for the purposes of police, not only that the number of magistrates should be increased, but that their jurisdiction should be extended over such parts of the parish of Clewer as adjoin the present borough. We should have concluded from its local situation, that it would have been desirable to include Eton within the same jurisdiction; but this suggestion was objected to, both by the corporation and some of the inhabitants, though no valid reason for the objection was stated.

21. The Gaol is nominally kept by the bailiffs, but is really under the superintendence of the corporation. It is a modern building, having been erected about 30 years ago by his late Majesty George III., in the place of an old and insufficient prison adjoining the castle. Gaol.

The present gaol is secure and sufficiently capacious for a classification of the prisoners and a separation of males from females. It contains, however, no sufficient means for inflicting hard labour upon prisoners in execution, and is too confined for long imprisonments. It is principally used for the confinement of prisoners before trial, and for the punishment of offenders on summary conviction. Prisoners sentenced to a longer imprisonment than a few weeks, are sent to the county gaol at Reading, for which a stipulated diet is paid to the gaoler there.

The maintenance of the gaol imposes a heavy annual charge upon the corporate funds, in repairs and other incidental expenses.

22. The Property of the corporation consists principally of houses in the borough; there is also a small sum invested in the public funds. Their income is derived from the rents of houses, the fines upon renewals of leases (which are usually fixed at one and a quarter year's rack rent), fines imposed in the court of quarter sessions, and the dividends of the stock invested. Property.

The following is an abstract of the Income and Expenditure of the corporation, taken upon an average of the last 12 years:

TOTAL INCOME for 12 years, ending Michaelmas 1833.

	£.	s.	d.	£.	s.	d.
By rental	5,123	8	5	426	19	–
By fines on renewals	1,373	18	–	114	9	10
Ditto for offences	148	10	4	12	7	6
By dividends	436	16		36	8	–
By extras	819	13	7	68	6	1
TOTAL £.	7,902	6	6	658	10	5 Yearly average.

TOTAL EXPENDITURE for 12 years, ending Michaelmas 1833.

	£.	s.	d.	£.	s.	d.
Salaries, rates, taxes, insurance, rent-charges, charities and other inevitable payments	1,948	16	2	162	8	–
Ordinary periodical payments, such as Mayor's allowance, Sessions dinners, London journeys, Town Clerk and Chamberlain	1,902	9	5	158	10	9
Repairs, furniture and stationery	1,998	13	8½	166	11	1
Extra expenses arising from occasional subscriptions, coals and candles, and including building house at Crown Corner, the purchase of standard weights and measures, and of entertainments to two High Stewards	1,837	6	5½	153	2	2
TOTAL £.	7,687	5	9	640	12	– Yearly average.

23. The corporation have no Patronage. Patronage.

WINDSOR

Local Acts.

24. The only Local Acts relating to the borough, are the 9th George III. c. 10, (local and public), intituled, "An Act for the better paving, cleansing, lighting and watching the streets and lanes in the parish and borough of New Windsor, in the county of Berks, and for preventing nuisances and annoyances therein;" and the 47 George III. s. 2. c. 8, which enlarges the powers and provisions of the former Act.

General Prospects.

25. The town of Windsor is increasing in size and population; the poor's-rates in the parish of Windsor for the last year, as compared with those of 1829 and 1830, are considerably reduced; as compared with the years 1827 and 1828, there is but little variation.

The following amounts have been paid for the relief of the poor in the parish of Windsor during the last seven years.

	£.	s.	d.
For the year ending 25th March 1827 - - -	2,875	9	1 ¼
" " 1828 - - -	3,071	13	9
" " 1829 - - -	3,580	10	9 ½
" " 1830 - - -	3,705	8	6 ½
" " 1831 - - -	3,250	5	9
" " 1832 - - -	3,106	7	1
" " 1833 - - -	2,918	12	2 ½

There is no considerable manufacture carried on in Windsor, and the increase of the town in size and apparent prosperity in the last few years, is to be attributed to the residence of the court.

Peregrine Bingham.
David Jardine.

London, January 1834.

REPORT

ON

THE CORPORATION OF WOKINGHAM.

CONTENTS.

	Page
Limits	2938
Charters and Title	2938
Corporate Body	2938
Officers:	
Alderman	2938
High Steward	2939
Recorder or Under Steward	2939
Justice	2939
Town Clerk	2939
Serjeant at Mace	2939
Inferior Officers	2939
Freemen	2939
Courts:	
Sessions	2939
Court of Record	2940
Juries	2940
Police	2940
Gaol	2940
Property	2940
Patronage	2940
Local Acts	2940
General Prospects	2940

CORPORATION OF WOKINGHAM.

Limits.

SOME doubts have been entertained respecting the original Limits of the corporate jurisdiction of Wokingham, but as they are at present observed for practical purposes, they are sufficiently defined. They comprehend the whole of the ancient town of Wokingham within the county of Berks, that portion of the town and parish which is situate in Wiltshire, and also a considerable part of the parish lying in Berkshire being beyond the corporation boundary. In the governing charter of James I., the place is described as "the Town of Wokingham in the Counties of Berks and Wilts;" and the entries in all the court books and minutes of the corporation for the last 200 years adopt the same description. But from some of these entries, and also from other documents in the possession of the corporation (none of which are earlier than the year 1630), it appears highly probable that the local jurisdiction was always restricted to the Berkshire part of the town. In a charter granted by Queen Elizabeth, the town is described as "Woking or Wokingham, in the county of Berks, parcel of the manor of Sonning, in the same county." As the manor of Sonning does not comprehend the Wiltshire part of the town, and as there is no evidence whatever of the existence of a more extended jurisdiction at any time, it is probable that the usage in this respect has always corresponded with the modern practice, the only ambiguity having been introduced by the words of the charter of James I. The town or corporation jurisdiction contains a population of about 1,600 persons; the Berkshire part of the parish about 1,060, and the Wiltshire division about 447.

Charters and Title.

The earliest existing Charter of Wokingham was granted in the 25th year of the reign of Elizabeth (1583), which merely recites and confirms some ancient customary privileges respecting the election of an alderman and inferior corporate officers. The present governing charter was granted in the 10th year of the reign of James I. (1612). From this latter charter the corporation derives its present constitution, with the title of "The Alderman and Burgesses of the Town of Wokingham, in the Counties of Berks and Wilts."

Corporate Body.

By the Charter, all the inhabitants of the town are incorporated, but the governing members of the body corporate consist of an Alderman, seven Capital Burgesses, and twelve Secondary Burgesses.

Alderman

The Alderman is elected annually on the Wednesday in Easter week from among the capital burgesses by the alderman, capital and secondary burgesses, or the greater part of them.

Capital and Secondary Burgesses.

The Capital Burgesses are elected upon vacancies from the secondary burgesses, by the same body as the alderman; and the Secondary Burgesses are chosen in a similar manner from the inhabitants of the town. The capital and secondary burgesses hold their respective offices for life, subject to removal for misbehaviour, at the discretion of the alderman and capital burgesses.

Common Council.

The alderman, capital and secondary burgesses constitute the Common Council of the town, and have power to make bye-laws, and perform all other functions of corporate government.

Great difficulty has been found for many years past in keeping up the numbers of the corporation. No secondary burgesses have existed as a separate body since the year 1822, and the number of capital burgesses has sometimes been reduced to four. At present the number of capital burgesses is complete.

Officers.

The Officers of the corporation named in the charter are,—

An Alderman,
A High Steward,
A Recorder, or Under Steward,
A Justice,
A Town Clerk, and
2 Serjeants at Mace.

Besides these, there are—

2 Constables,
2 Bailiffs,
2 Ale-tasters,
1 Flesh-taster, and
1 Leather-sealer,

who are ancient customary officers.

Alderman; his functions.

The mode of electing the Alderman has been already described. He is by virtue of his office chief magistrate of the town, and, as such, presides at the court of quarter sessions. He is also entitled to sit as a judge in the court of record, and is by custom, and by the charter

WOKINGHAM.

charter of Elizabeth, clerk of the market. The alderman has no salary, but he receives to his own use the tolls of the market, which average from 15*l.* to 20*l.* a year. From these tolls he is, by an old custom of the corporation, obliged to lay aside a certain sum for the repairs of the town-hall; formerly this sum appears to have varied at different periods from 3*l.* to 5*l.* or 6*l.*, according to the state of the building, or as funds were required for other purposes. At present the sum annually appropriated by the alderman to this purpose is 10*l.* The necessary official expenses of the alderman arising from customary entertainments to inferior officers at the sessions, and on other public occasions, amount to between 30*l.* and 40*l.*; in fact, they often amount to 50*l.* He has no other emoluments.

High Steward; how elected.

The High Steward, who must be "*vir præclarus,*" is elected for life, as vacancies occur, by the alderman and capital burgesses, or the greater part of them (the alderman being always present at the election). He is by the charter a justice of the peace within the town. The present high steward is Lord Braybrooke, who resides in the neighbourhood of Wokingham, and has occasionally acted as a magistrate within the town.

He has no emoluments or salary.

Recorder or Under-Steward; how elected.

The Recorder, who must be "skilful in the laws," is chosen, upon vacancies, by the alderman and capital burgesses, or the greater part of them, and holds his office during the pleasure of the body by whom he is elected. He is a justice of the peace within the town, presides as a judge at the quarter sessions, and is by the charter one of the judges of the court of record.

It has always been required by the corporation that the recorder should reside in the town or at least that he should attend at the quarter sessions. There are instances on the corporation minutes of the removal of recorders for non-attendance upon their official duties; and the late recorder, Sir Giffin Wilson, resigned his office at the request of the corporation, in consequence of his frequent absence. The present recorder is a solicitor residing at Wokingham, who always attends at the sessions.

He has no salary or emoluments.

Justice.

By a provision of the charter, the alderman, on retiring from his office at the end of his year, becomes a Justice of the Peace for the ensuing year.

He acts as a magistrate for the town, and sits with the other local magistrates as a judge at the sessions.

He has no salary or emoluments.

Town Clerk; how elected.

The Town Clerk is elected for life, upon vacancies, by the alderman and capital burgesses, or the greater part of them, of whom the alderman for the time being must be one. He keeps the charters, books and muniments of the corporation, acts as clerk of the peace within the town, attends at the sessions, draws the indictments and enters minutes of the proceedings. He has no salary, and his only emoluments are his fees as local clerk of the peace. He is expressly empowered by the charter to act by deputy.

Serjeant at Mace.

The governing charter authorizes the appointment of two Serjeants at Mace by the alderman and capital burgesses. At present only one is appointed. His business is to attend upon the corporation, and he also acts as a constable and cryer of the court at the quarter sessions. In the latter capacity, he receives some small fees, which constitute his only emolument.

Inferior Officers.

The Constables and other Inferior Officers are annually appointed by the local justices at the Easter sessions, which were formerly held conjointly with the court leet of the manor of Sonning, before the steward of the manor, and the alderman of the town of Wokingham. The appointment of Ale-tasters, Flesh-tasters and Leather-sealers is still continued, but their offices are now merely nominal.

Freemen.

No Freemen have been created since the year 1796, excepting those persons who have become members of the corporation. Exclusive privileges of trading were formerly possessed by the freemen, and were protected by a bye-law, which seems to have been rigidly enforced until the commencement of the last century. In the year 1713, upon a petition from the inhabitants, who agreed to indemnify the corporation from actions, a general order was made by the common council to summon and fine all foreigners who carried on trade within the borough. It does not appear what was the result of this proceeding; but it is probable that the bye-law was discovered to be illegal; and consequently, that as the privilege could not be enforced, it became of no value, and the practice of taking up freedoms was abandoned. No other practical privilege was enjoyed by the freemen of the town.

On admissions to the freedom, previously to entering upon corporate offices, no fees or fines are paid.

Courts: Sessions.

The only Court within the town is a Court of Quarter Sessions, holden twice a year before the high steward, alderman, recorder and justice, or any two of them, of whom the alderman or recorder must be one. The jurisdiction of this court extends to all offences committed within the town, not affecting life or limb, which may usually be inquired of by justices of the peace for counties. It is not exclusive, but in fact the county magistrates do not interfere either for the commitment or trial of offenders within the limits of the town. The town magistrates always commit prisoners charged with serious offences to the county assizes or sessions; and as the inhabitants of Wokingham pay to the county rate, prisoners for trial at the town sessions, as well as those who have been sentenced there, are confined in the county gaol at Reading. Only seven cases of misdemeanour and one of felony have been tried at the town sessions within the last six years. It was stated that many more cases would have been

WOKINGHAM.

been tried at Wokingham, had it been practicable to form an arrangement with the county magistrates for the allowance of the costs of prosecutors and witnesses in such cases out of the county rate. It seems obvious that some expense would be saved to the county rate by such an arrangement; and the individuals who at present form the town magistracy are persons of education and intelligence, and fully qualified to try such cases as would be likely to come before them.

The fees taken at the town sessions are the same as those allowed at the county sessions.

Court of Record.

By the charter of James I. a Court of Record for the trial of all kinds of actions in which the debt or damages do not exceed 10*l.* in amount may be holden every Friday, before the alderman, recorder and capital burgesses, or any three of them. This court has been discontinued for nearly a century. It was suggested that a revival of this court would be advantageous to the inhabitants; and the corporation evinced a disposition to make the experiment.

Juries.

The Juries for the sessions are summoned by the serjeant at mace, under a precept from the alderman. The grand jurors are taken from the principal householders of the town, and the petty jurors from the rated inhabitants generally.

Police.

There is no Police at the disposal of the corporation. One night watchman is employed, who is paid by a subscription among the inhabitants.

Gaol.

There is no Gaol in the town; and two small lock-up houses provided by the corporation, are only used as places of temporary confinement.

Property.

The whole Property of the corporation consists in the town hall, some small quit-rents, and the tolls; and that property may literally be said to be less than nothing, as the inconsiderable income arising from the tolls and quit-rents is more than absorbed by the expenses of the town-hall.

The charter of James I. confirms to the alderman and burgesses the profits of certain "void and waste grounds" previously holden by them; and a few instances of licenses to build on the wastes, and of small sums paid for trees cut upon them, appear on the corporation minutes; but all traces of this property, which was probably never considerable, are now lost; though some quit-rents amounting to less than 1*l.* a year are still received. It is however quite clear, that within the last 200 years the corporation never possessed much more property than they do at present; abundant proofs of their poverty within that period appear upon their minutes. In 1675, a lock-up house was built at an expense of 4*l.* 9*s.* 10*d.* which was contributed in small proportions by individual members of the corporate body; so in 1699, the expense of actions brought to enforce their right to the tolls of the market, was defrayed by a subscription among themselves; and in 1758, when a new mace was required, which cost, after allowing for the old mace, 24*l.* 4*s.* 4*d.* the corporate fund was altogether insufficient to pay for it, and the deficiency of 9*l.* 9*s.* was made up by the recorder and eight other members of the corporation, "in deposits of 1*l.* 1*s.* each, to be refunded as money came in." The expense of their festivities and hospitalities on public occasions, such as the election of their high steward, and even of their ordinary sessions entertainments, has at all times been defrayed by subscription among themselves.

The necessary repairs of the town-hall have always been a heavy weight upon the corporation, and, as above stated, it has usually been thrown upon the alderman for the time being, who has been required to pay certain sums for that purpose out of the tolls received by him. Notwithstanding this constant application of small sums for repairs, the building became dilapidated; and in the year 1819, an extensive and complete repair, which cost upwards of 1,100*l.* was absolutely necessary. A subscription was made among the inhabitants, who occasionally use the building for public purposes, in order to defray this heavy expense, and a considerable sum was raised in this manner; but the residue of the money was paid by individual members of the corporation, who agreed to take their repayment by instalments. By means of the payment of 10*l.* a year by the alderman from the tolls, and of 2*l.* a year by each member of the corporation, this debt has now been reduced to about 60*l.*

Patronage.

The corporation have no Patronage, excepting the appointment of the objects of some small charities.

Local Acts.

There are no Local Acts relating to the town.

General Prospects.

Neither the present situation nor the future prospects of the town of Wokingham, furnish any reasonable expectation of advantage from a local jurisdiction equivalent to the expense of a corporate establishment. There is no staple manufacture, nor any considerable amount of trade; and though the population of the three divisions of the parish exceeds 3,000, little more than half of that number are employed in trade or manufactures. The population has increased, but not materially, since the census in 1821, and the amount levied for the use of the poor within the last few years has been considerably reduced.

Temple, Nov. 24, 1833.

David Jardine.